

EXHIBIT 2

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 Case No. 15-cv-0023 (CBA) (VMS)

5 -----x
6 DR. JOSEPH WILSON, PhD,

7 Plaintiff,

8 - against -

9 THE STATE OF NEW YORK, et al.,

10 Defendants.
11 -----x

12 January 30, 2019

10:00 a.m.

13
14 CONTINUED DEPOSITION of DR.
15 JOSEPH WILSON, taken by the Defendants,
16 pursuant to Notice, held at the Law
17 Offices of John S. Yong, P.C., 39 East
18 Broadway, New York, New York, before
19 Debbie Zaromatidis, a Shorthand Reporter
20 and Notary Public of the State of New
21 York.
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23
24
25

<p style="text-align: right;">Page 305</p> <p>1 2 A P P E A R A N C E S : 3 4 LAW OFFICE OF JOHN S. YONG, P.C. 5 Attorneys for Plaintiff 6 39 East Broadway 7 New York, New York 8 BY: CHRIS YONG, ESQ. 9 - and - 10 JAMES B. KLEIN, ESQ. 11 12 STATE OF NEW YORK 13 OFFICE OF THE ATTORNEY GENERAL 14 Attorneys for Defendants 15 28 Liberty Street 16 New York, New York 17 BY: MARK E. KLEIN, ESQ. 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 307</p> <p>1 WILSON 2 A. That's right. 3 Q. And that complaint included 4 claims for defamation and conversion, 5 right? 6 A. I would have to review the 7 record. 8 MR. MARK KLEIN: I am going to 9 ask the reporter to mark as the next 10 exhibit, Wilson Exhibit 16 a copy of a 11 document titled "Amended Complaint" filed 12 on June 12, 2015. 13 (Wilson Exhibit 16 marked for 14 identification.) 15 (Document handed to witness.) 16 Q. Dr. Wilson, I show you what has 17 been marked as Exhibit 16. Please take a 18 moment to review it generally. If you 19 would like, I can direct you to the claims 20 for conversion and defamation that you 21 asserted on the case if you would like me 22 to. 23 (Pause.) 24 Q. You are not going to read all 49 25 pages, are you?</p>
<p style="text-align: right;">Page 306</p> <p>1 WILSON 2 JOSEPH WILSON, PhD, 3 having first been duly sworn by a Notary 4 Public of the State of New York, was 5 examined and testified as follows: 6 EXAMINATION BY MR. MARK KLEIN: 7 Q. Good morning, Dr. Wilson. 8 A. Good morning. 9 Q. You recall that yesterday your 10 attorney Mr. Klein made a number of 11 objections yesterday when I asked you 12 about the words "Conversion" and 13 "defamation" that appeared in your initial 14 disclosures? 15 A. Your question is do I recall 16 that? 17 Q. Yes. Do you recall that? 18 A. I do recall that. 19 Q. And you recall that you filed a 20 49-page second amended complaint in this 21 case, right? 22 A. I do recall that. 23 Q. And that complaint asserted 24 claims, actually more than fifteen claims 25 against nineteen defendants, right?</p>	<p style="text-align: right;">Page 308</p> <p>1 WILSON 2 A. I am going to familiarize myself 3 with this. It has been a while since I 4 have seen it, a few years actually. 5 Q. I am not going to ask you about 6 it in any detail. 7 A. Okay. So what is the page? 8 Q. Well, if you go to page 9 28 -- let me first ask you is Exhibit 16 10 the Amended Complaint that you filed in 11 this case on June 12, 2015? 12 A. You want me to see if I signed 13 this? 14 Q. You didn't sign it, did you? 15 A. No, I didn't sign it. 16 Q. Your attorney Collin Moore 17 signed it, right? 18 A. My attorney signed it. 19 Q. And that was Collin Moore at the 20 time, right? 21 A. That was Collin Moore at the 22 time. 23 Q. Okay. If you go to page 28 of 24 this document, there is a claim for 25 defamation, right, among other claims, Dr.</p>

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<p style="text-align: right;">Page 309</p> <p>1 WILSON</p> <p>2 Wilson?</p> <p>3 A. Page 28?</p> <p>4 Q. Yes.</p> <p>5 A. That would be number 54.</p> <p>6 Q. If you look at the title above</p> <p>7 paragraph 53 it says, "Third cause of</p> <p>8 action for defamation, malice and</p> <p>9 intentional infliction of emotional harm."</p> <p>10 Do you see that?</p> <p>11 A. I see that.</p> <p>12 Q. So your Second Amended Complaint</p> <p>13 contained a complaint for defamation?</p> <p>14 A. Right.</p> <p>15 Q. That is a yes?</p> <p>16 A. Yes.</p> <p>17 Q. And if you go to page 46 --</p> <p>18 A. Of the same document?</p> <p>19 Q. Of the same document. Do you</p> <p>20 see there is a seventh cause of action for</p> <p>21 conversion of personal property, correct?</p> <p>22 A. 46 and -- yes.</p> <p>23 Q. Okay. Now, did you prepare any</p> <p>24 portions of Exhibit 16, sir?</p> <p>25 A. I mean my attorney drafted this,</p>	<p style="text-align: right;">Page 311</p> <p>1 WILSON</p> <p>2 Summary of facts, right?</p> <p>3 A. Yes.</p> <p>4 Q. And you prepared the summary of</p> <p>5 facts, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And on pages 11 through 19,</p> <p>8 there is something called "Nature of the</p> <p>9 Claims," right?</p> <p>10 A. Uh-huh.</p> <p>11 Q. That is a yes?</p> <p>12 A. Yes.</p> <p>13 Q. And did you prepare the section</p> <p>14 titled "Nature of the Claims"?</p> <p>15 A. I actually don't recall. I</p> <p>16 would have to spend more time reading</p> <p>17 these in detail.</p> <p>18 Q. And then on pages 20 through 23</p> <p>19 there is a section called "Factual</p> <p>20 Background," correct?</p> <p>21 A. Page -- what was it?</p> <p>22 Q. 20 through 23.</p> <p>23 MR. JAMES KLEIN: Could you</p> <p>24 define prepare?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 310</p> <p>1 WILSON</p> <p>2 so I don't know --</p> <p>3 Q. Let me ask you in particular if</p> <p>4 you could go through pages 2 through 7 of</p> <p>5 the second amended claim.</p> <p>6 A. Pages 2 through 7.</p> <p>7 Q. Pages 2 through 7. There is a</p> <p>8 portion of that document that is titled</p> <p>9 "Preliminary Statement," right?</p> <p>10 A. 7 --</p> <p>11 Q. 2 through 7.</p> <p>12 A. 2 through 7. Yes.</p> <p>13 Q. Did you prepare any portion of</p> <p>14 the preliminary statement?</p> <p>15 A. Yes.</p> <p>16 Q. You prepared the entire</p> <p>17 preliminary statement, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And if you go to pages 7 through</p> <p>20 10.</p> <p>21 A. Let me -- you are jumping</p> <p>22 around. Give me a chance to look.</p> <p>23 Q. Okay.</p> <p>24 A. 7 through 10.</p> <p>25 Q. There is a section called</p>	<p style="text-align: right;">Page 312</p> <p>1 WILSON</p> <p>2 MR. JAMES KLEIN: I mean this</p> <p>3 is a document that is signed by an</p> <p>4 attorney and submitted to the court. It</p> <p>5 is legally the attorney's work. So when</p> <p>6 you say did he prepare, did he prepare a</p> <p>7 draft that he gave to his attorney or did</p> <p>8 he review the final version? I mean what</p> <p>9 does prepare mean in the context that you</p> <p>10 are saying it?</p> <p>11 MR. MARK KLEIN: I think he</p> <p>12 understood the word "prepare." I think</p> <p>13 we all understand the word "prepare." HE</p> <p>14 answered the questions.</p> <p>15 MR. JAMES KLEIN: No, it is --</p> <p>16 MR. MARK KLEIN: You have your</p> <p>17 objection. Please don't interfere with</p> <p>18 the deposition.</p> <p>19 A. So I would like to ask then</p> <p>20 what --</p> <p>21 MR. JAMES KLEIN: No, you are</p> <p>22 not here to ask him questions.</p> <p>23 THE WITNESS: Well, it is --</p> <p>24 MR. JAMES KLEIN: Joe, I am</p> <p>25 your lawyer.</p>

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<p style="text-align: right;">Page 313</p> <p>1 WILSON</p> <p>2 THE WITNESS: Okay.</p> <p>3 MR. JAMES KLEIN: These</p> <p>4 questions are all under objection that it</p> <p>5 is confusing that you have not defined the</p> <p>6 word "prepare."</p> <p>7 MR. MARK KLEIN: Your objection</p> <p>8 is noted, counsel. Here is a man with</p> <p>9 two masters degrees, a doctorate, and you</p> <p>10 need a definition of the word "prepare."</p> <p>11 MR. JAMES KLEIN: It is a legal</p> <p>12 document, and it is signed by an attorney</p> <p>13 and submitted to the court.</p> <p>14 MR. MARK KLEIN: I am not going</p> <p>15 to have a conversation with you about</p> <p>16 this. You have your objection.</p> <p>17 Q. Dr. Wilson, on pages 20 through</p> <p>18 23 there is a section called "Factual</p> <p>19 Background," right?</p> <p>20 A. 20 through 23?</p> <p>21 Q. Yes.</p> <p>22 A. Factual background, correct.</p> <p>23 Q. Did you prepare that?</p> <p>24 A. I would have to read it to let</p> <p>25 you know.</p>	<p style="text-align: right;">Page 315</p> <p>1 WILSON</p> <p>2 with respect to your Third Amended</p> <p>3 Complaint the court significantly reduced</p> <p>4 the claims in this case, correct?</p> <p>5 A. I am aware of that, yes.</p> <p>6 Q. What claims remain in the case?</p> <p>7 MR. JAMES KLEIN: I am going to</p> <p>8 object. I mean you're asking him is</p> <p>9 there any document that he could review.</p> <p>10 I mean he is not sitting here with a full</p> <p>11 record of the case, and you are asking him</p> <p>12 to remember a three or four-year record of</p> <p>13 the case.</p> <p>14 Q. Do you know what claims remain</p> <p>15 in the case, sir?</p> <p>16 A. I would have to review the</p> <p>17 record.</p> <p>18 Q. You don't know any of the claims</p> <p>19 that remain in the case? Is that your</p> <p>20 testimony now?</p> <p>21 A. My testimony is I know</p> <p>22 conversion is one of the claims.</p> <p>23 Q. And who is your conversion claim</p> <p>24 against?</p> <p>25 A. I would have to review the</p>
<p style="text-align: right;">Page 314</p> <p>1 WILSON</p> <p>2 Q. In fact, you prepared major</p> <p>3 portions of this complaint and provided it</p> <p>4 to your attorney to include in a</p> <p>5 complaint, correct?</p> <p>6 A. What basis -- no, that's not</p> <p>7 correct, no. Not correct.</p> <p>8 Q. Did you review Exhibit 16 before</p> <p>9 it was filed with the court?</p> <p>10 A. No, I did not.</p> <p>11 Q. No, you didn't?</p> <p>12 A. No, I didn't.</p> <p>13 Q. Even though you just testified</p> <p>14 that you prepared at least two sections of</p> <p>15 the complaint, you said you didn't review</p> <p>16 it before it was filed?</p> <p>17 A. That's correct.</p> <p>18 Q. That's your testimony?</p> <p>19 A. That's my testimony.</p> <p>20 Q. Okay. You are aware that</p> <p>21 defendants moved to dismiss Exhibit 16,</p> <p>22 correct?</p> <p>23 A. I am aware.</p> <p>24 Q. And you are aware as a result of</p> <p>25 that motion and subsequent motion practice</p>	<p style="text-align: right;">Page 316</p> <p>1 WILSON</p> <p>2 record.</p> <p>3 Q. You don't know anybody that your</p> <p>4 conversion claim is against; is that</p> <p>5 right, sir?</p> <p>6 MR. JAMES KLEIN: This is</p> <p>7 harassing. He has asked to review the</p> <p>8 record. He has a right to do so.</p> <p>9 Q. Do you know anybody that your</p> <p>10 conversion claim is against?</p> <p>11 A. I believe -- may I look at the</p> <p>12 record? May I look at the claim?</p> <p>13 Q. Can you answer -- I will show</p> <p>14 you your Third Amended Complaint. I want</p> <p>15 to know whether you know whether --</p> <p>16 A. I --</p> <p>17 Q. -- who the defendants in your</p> <p>18 conversion claim are?</p> <p>19 A. The defendants, as I recall,</p> <p>20 were Paisley Currah, Terrence Cheng, and</p> <p>21 Marcia Isaacson.</p> <p>22 Q. Marcia Isaacson?</p> <p>23 A. I thought it was Marcia.</p> <p>24 Q. So it is your understanding you</p> <p>25 have a conversion claim against Mr. Cheng?</p>

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<p style="text-align: right;">Page 317</p> <p>1 WILSON</p> <p>2 A. I am -- I am not sure on that</p> <p>3 point.</p> <p>4 Q. Do you know does the defamation</p> <p>5 claim remain in the case?</p> <p>6 A. Yes, it does as far as my</p> <p>7 understanding.</p> <p>8 Q. Against who is that defamation</p> <p>9 claim against?</p> <p>10 A. Against Terrence Cheng.</p> <p>11 Q. Okay. Now, so you are aware</p> <p>12 that your claims against you are</p> <p>13 Ms. Isaacson, Mr. Cheng, and Mr. Currah</p> <p>14 are against them personally, correct?</p> <p>15 A. I am aware that it's -- that</p> <p>16 they are against them personally.</p> <p>17 Q. And you are aware that the State</p> <p>18 of New York --</p> <p>19 MR. JAMES KLEIN: Again, I am</p> <p>20 going to object. You are asking about</p> <p>21 claims, which is a legal matter, and he</p> <p>22 has asked to review the record, and you</p> <p>23 refused to give him a document.</p> <p>24 MR. MARK KLEIN: I will give him</p> <p>25 a document.</p>	<p style="text-align: right;">Page 319</p> <p>1 WILSON</p> <p>2 Q. Okay. If you wouldn't write and</p> <p>3 listen to the question, we might be able</p> <p>4 to move along better.</p> <p>5 Are you aware of any evidence</p> <p>6 that Ms. Isaacson seized and failed to</p> <p>7 return your wife's oak easel? Yes or no.</p> <p>8 A. I -- yes.</p> <p>9 Q. What evidence are you aware of?</p> <p>10 A. The evidence that she was in</p> <p>11 charge of the investigation and in control</p> <p>12 of all of these activities.</p> <p>13 Q. Other than that, are you aware</p> <p>14 of any other evidence?</p> <p>15 A. That is the main evidence.</p> <p>16 Q. Are you aware of any other</p> <p>17 evidence?</p> <p>18 A. At this moment, no.</p> <p>19 Q. Are you aware of any evidence</p> <p>20 that Ms. Isaacson seized and failed to</p> <p>21 return your Apple monitor?</p> <p>22 A. I can't answer that. I don't</p> <p>23 know for sure.</p> <p>24 Q. Are you aware of any evidence</p> <p>25 that Ms. Isaacson seized and failed to</p>
<p style="text-align: right;">Page 318</p> <p>1 WILSON</p> <p>2 MR. JAMES KLEIN: I am asking</p> <p>3 for the document now.</p> <p>4 MR. MARK KLEIN: Your request</p> <p>5 is noted. I'll conduct my deposition the</p> <p>6 way I want to.</p> <p>7 Q. You are aware that the State of</p> <p>8 New York, the City University of New York</p> <p>9 and Brooklyn College are no longer in the</p> <p>10 case, right, Dr. Wilson?</p> <p>11 A. No, I am not aware of that.</p> <p>12 Q. You are not aware of that.</p> <p>13 Now, are you aware of any</p> <p>14 evidence that -- let's take them one at a</p> <p>15 time. Ms. Isaacson seized and failed to</p> <p>16 return to your wife's oak easel? I don't</p> <p>17 know why you are writing Dr. Wilson. I</p> <p>18 am asking you a question.</p> <p>19 A. I am focusing on what you are</p> <p>20 asking, and I would like to answer it</p> <p>21 completely.</p> <p>22 Q. Listen to my question.</p> <p>23 A. That is what I am listening to.</p> <p>24 I am writing. Oak easel Isaacson, and</p> <p>25 your question is am I aware of --</p>	<p style="text-align: right;">Page 320</p> <p>1 WILSON</p> <p>2 return your professional letters including</p> <p>3 the letter you said President Roosevelt</p> <p>4 sent to your father?</p> <p>5 A. I am aware that she seized,</p> <p>6 personally seized files of mine, and I</p> <p>7 don't know what was in those files that</p> <p>8 she seized.</p> <p>9 Q. Are you aware of any evidence</p> <p>10 that Ms. Isaacson seized and failed to</p> <p>11 return your "Special books"?</p> <p>12 A. I don't know what she seized.</p> <p>13 Q. Are you aware of any evidence</p> <p>14 that Ms. Isaacson seized and failed to</p> <p>15 return your jazz albums?</p> <p>16 A. I don't know what she seized.</p> <p>17 Q. Are you aware of any evidence</p> <p>18 that Ms. Isaacson seized and failed to</p> <p>19 return your manuscripts?</p> <p>20 A. Again, I don't know what she</p> <p>21 seized.</p> <p>22 Q. Are you aware of any evidence</p> <p>23 that Ms. Isaacson failed to</p> <p>24 return -- seized and failed to return any</p> <p>25 of your personal documents?</p>

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<p style="text-align: right;">Page 321</p> <p>1 WILSON</p> <p>2 A. I am aware that she was in</p> <p>3 control of those premises where all of</p> <p>4 these things were taken and seized. So</p> <p>5 yes. She was responsible for seizing</p> <p>6 everything that you just iterated. Yes.</p> <p>7 Q. That is your position?</p> <p>8 A. That's my understanding. She was</p> <p>9 there. She was in charge. They took</p> <p>10 over. She was in charge of the -- of the</p> <p>11 whole investigation and operation. So</p> <p>12 yes, that is my understanding, and that is</p> <p>13 the evidence.</p> <p>14 Q. All right. I am going to ask</p> <p>15 you the same questions with regard to Mr.</p> <p>16 Currah and Mr. Cheng unless you want to</p> <p>17 tell me that your answers are the same,</p> <p>18 but are you aware of any evidence that</p> <p>19 Professor Currah seized and failed to</p> <p>20 return your wife's oak easel?</p> <p>21 A. Yes.</p> <p>22 Q. What evidence are you aware of?</p> <p>23 A. The evidence is that Paisley's</p> <p>24 secretary told me that they had my stuff</p> <p>25 and Paisley's secretary, Barbara</p>	<p style="text-align: right;">Page 323</p> <p>1 WILSON</p> <p>2 said to you?</p> <p>3 A. Specifically they had</p> <p>4 the -- first of all, this was how</p> <p>5 many -- seven years ago. So you have to</p> <p>6 give me a chance to think about this, but</p> <p>7 I do remember specifically raising</p> <p>8 questions about the oak easel. I</p> <p>9 mentioned -- what else? I mentioned my</p> <p>10 plants initially. I mentioned my</p> <p>11 letters. I mentioned my files. I</p> <p>12 mentioned my documents very specifically</p> <p>13 to Barbara Haugstatter, and she said that</p> <p>14 she would speak to Paisley. I called her</p> <p>15 back, and she said that, you know -- she</p> <p>16 was just unresponsive, and I asked on</p> <p>17 numerous occasions very specifically.</p> <p>18 Q. How many occasions?</p> <p>19 A. Numerous.</p> <p>20 Q. And these were all by telephone</p> <p>21 with Barbara Haugstatter, the secretary to</p> <p>22 the chairman of the political science</p> <p>23 department, right?</p> <p>24 A. There may have been face to face</p> <p>25 communications as well, but certainly</p>
<p style="text-align: right;">Page 322</p> <p>1 WILSON</p> <p>2 Haugstatter spoke to Paisley about my</p> <p>3 things that they had been seized.</p> <p>4 Q. And did you discuss with --</p> <p>5 MR. MARK KLEIN: Withdrawn.</p> <p>6 Q. Paisley's secretary that you are</p> <p>7 referring to is Ms. Haugstatter?</p> <p>8 A. Correct.</p> <p>9 Q. Did you specifically discuss</p> <p>10 with Ms. Haugstatter your wife's oak</p> <p>11 easel?</p> <p>12 A. Specifically, yes, I did.</p> <p>13 Q. And did she specifically tell</p> <p>14 you that Paisley Currah had it in his</p> <p>15 possession?</p> <p>16 A. She specifically said they had</p> <p>17 it.</p> <p>18 Q. They had what?</p> <p>19 A. My oak easel, my plants. They</p> <p>20 had all of my things.</p> <p>21 Q. That is -- they went through</p> <p>22 everything that they have?</p> <p>23 A. Not everything but she said they</p> <p>24 have my stuff. That was a blanket --</p> <p>25 Q. I want to know exactly what she</p>	<p style="text-align: right;">Page 324</p> <p>1 WILSON</p> <p>2 numerous times by telephone. Yes.</p> <p>3 Q. And are you aware of any written</p> <p>4 documents either by e-mail or letter in</p> <p>5 which you listed the items that you said</p> <p>6 you had -- had been taken from you and you</p> <p>7 wanted returned?</p> <p>8 A. Yes.</p> <p>9 Q. And where did you do that?</p> <p>10 A. I don't understand your</p> <p>11 question.</p> <p>12 Q. What e-mail or written document</p> <p>13 did you list that said what was missing?</p> <p>14 A. I sent an e-mail to Pam Pollack.</p> <p>15 I sent e-mails to Michael Hewitt.</p> <p>16 Q. Have you produced copies of</p> <p>17 those e-mails?</p> <p>18 A. I'm not sure. I would have to</p> <p>19 look at the -- the e-mails.</p> <p>20 Q. Are you aware of any evidence</p> <p>21 that Mr. -- that Professor Currah seized</p> <p>22 and failed to return your Apple monitor?</p> <p>23 Yes or no.</p> <p>24 A. I am not sure.</p> <p>25 Q. Are you aware of any evidence</p>

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<p style="text-align: right;">Page 325</p> <p>1 WILSON</p> <p>2 that Professor Currah seized and failed to</p> <p>3 return your professional letters,</p> <p>4 including the letter that you said</p> <p>5 President Roosevelt sent to your father?</p> <p>6 A. I am aware Paisley Currah</p> <p>7 destroyed thousands of pages of documents</p> <p>8 in my office according to Paisley Currah's</p> <p>9 testimony.</p> <p>10 Q. Other than Paisley's -- what</p> <p>11 testimony are you referring to?</p> <p>12 A. The arbitration.</p> <p>13 Q. So other than Paisley Currah's</p> <p>14 own testimony at the arbitration, are you</p> <p>15 aware of any evidence that Professor</p> <p>16 Currah seized and failed to return your</p> <p>17 professional letters, your special books,</p> <p>18 your jazz albums, manuscripts, your</p> <p>19 research, and research notes, and your</p> <p>20 lectures and lecture notes?</p> <p>21 A. I am aware that Paisley Currah</p> <p>22 was on the premises in my office over a</p> <p>23 significant period of time going through</p> <p>24 my documents, my letters, my books, my</p> <p>25 research, handled all of my things,</p>	<p style="text-align: right;">Page 327</p> <p>1 WILSON</p> <p>2 A. I am aware that my assistants</p> <p>3 and staff knew that my letters were in my</p> <p>4 offices, yes.</p> <p>5 Q. Assistants and staff meaning</p> <p>6 whom?</p> <p>7 A. Employees of the college.</p> <p>8 Q. What employees are you referring</p> <p>9 to?</p> <p>10 A. Well, Annie London.</p> <p>11 Q. Anybody else?</p> <p>12 A. Pam Miller.</p> <p>13 Q. Anybody else?</p> <p>14 A. I would have to go to the list</p> <p>15 of witnesses, but, yes, there are others.</p> <p>16 Absolutely there are others.</p> <p>17 Q. Now, you took home -- you were</p> <p>18 given the opportunity to take home a lot</p> <p>19 of the -- of your personal materials that</p> <p>20 were in your offices, right?</p> <p>21 A. Wrong.</p> <p>22 Q. You were not?</p> <p>23 A. What opportunity are you talking</p> <p>24 about?</p> <p>25 Q. Is it your testimony, Dr.</p>
<p style="text-align: right;">Page 326</p> <p>1 WILSON</p> <p>2 everything, and I am aware that while</p> <p>3 Paisley Currah was there masses, volumes</p> <p>4 of material from my office and from the</p> <p>5 administrative offices were discarded,</p> <p>6 were trashed. That is what I am</p> <p>7 absolutely aware of by --</p> <p>8 Q. And how are you aware of that?</p> <p>9 A. From the witnesses who told me</p> <p>10 that.</p> <p>11 Q. Okay. Are you aware of any</p> <p>12 evidence that your wife's oak easel was at</p> <p>13 the Graduate Center for Worker Education</p> <p>14 in January of 2012?</p> <p>15 A. Yes.</p> <p>16 Q. Besides your own testimony?</p> <p>17 A. I am sure my staff would know</p> <p>18 that there was a display, oak easel</p> <p>19 display. Yes, other people would be</p> <p>20 aware of that.</p> <p>21 Q. Are you aware of any evidence</p> <p>22 that your professional letters as you</p> <p>23 referred to them yesterday, including the</p> <p>24 letter you said President Roosevelt sent</p> <p>25 to your father was in any of your offices?</p>	<p style="text-align: right;">Page 328</p> <p>1 WILSON</p> <p>2 Wilson, that you didn't take home a lot of</p> <p>3 materials that had been in your offices at</p> <p>4 Brooklyn College in the graduate center</p> <p>5 for worker education. Is that what you</p> <p>6 are telling me?</p> <p>7 A. I didn't have -- my testimony is</p> <p>8 that my office at 25 Broadway was seized,</p> <p>9 and I had no opportunity to take a single</p> <p>10 thing. I had zero opportunity. That's a</p> <p>11 fact.</p> <p>12 Q. At any time. At any time, sir.</p> <p>13 A. At the time of the seizure and</p> <p>14 in this period of time, right. I had no</p> <p>15 opportunity at all.</p> <p>16 Q. Is it your testimony that</p> <p>17 between January of 2012 and today you</p> <p>18 didn't take -- have an opportunity to take</p> <p>19 home any of the materials that had been in</p> <p>20 your offices at Brooklyn --</p> <p>21 A. That is a different question --</p> <p>22 Q. You're interrupting me. Let me</p> <p>23 finish my question.</p> <p>24 Is it your testimony sitting</p> <p>25 here today that between January of 2012</p>

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<p style="text-align: right;">Page 329</p> <p>1 WILSON</p> <p>2 and today you had no opportunity to take</p> <p>3 home any of the materials that had been in</p> <p>4 your office either at the Graduate Center</p> <p>5 For Worker Education at 25 Broadway or</p> <p>6 Brooklyn College?</p> <p>7 A. No, that is not my testimony.</p> <p>8 Q. So you did take some materials</p> <p>9 home, right?</p> <p>10 MR. JAMES KLEIN: No, your</p> <p>11 question was did he have the opportunity</p> <p>12 to. You're asking a different question</p> <p>13 now.</p> <p>14 Q. Did you take home any of the</p> <p>15 materials that had been in your office in</p> <p>16 25 Broadway and at Brooklyn College? Yes</p> <p>17 or no.</p> <p>18 A. That is not a yes or no</p> <p>19 question.</p> <p>20 Q. Yes, it is a yes or no question.</p> <p>21 Did you take home any of those materials?</p> <p>22 MR. JAMES KLEIN: This is very</p> <p>23 vague.</p> <p>24 A. I --</p> <p>25 MR. JAMES KLEIN: Any of those</p>	<p style="text-align: right;">Page 331</p> <p>1 WILSON</p> <p>2 and I didn't ask you. Are we understood?</p> <p>3 You can make an objection as to form;</p> <p>4 otherwise, we will get the magistrate on</p> <p>5 the phone.</p> <p>6 Q. Dr. Wilson, is it your testimony</p> <p>7 that you never took home any of the</p> <p>8 materials that had been either in your</p> <p>9 office at 25 Broadway or on the Brooklyn</p> <p>10 College campus?</p> <p>11 MR. JAMES KLEIN: Objection as</p> <p>12 to form.</p> <p>13 A. That is not my testimony.</p> <p>14 Q. Okay. So you did take</p> <p>15 some -- take home some materials that had</p> <p>16 been in your office --</p> <p>17 MR. JAMES KLEIN: Objection.</p> <p>18 MR. MARK KLEIN: Wait. Now you</p> <p>19 are interrupting my question.</p> <p>20 MR. JAMES KLEIN: That</p> <p>21 assumes -- that misstates his prior</p> <p>22 testimony.</p> <p>23 MR. MARK KLEIN: I'll use my</p> <p>24 cell phone, and we will call the</p> <p>25 magistrate.</p>
<p style="text-align: right;">Page 330</p> <p>1 WILSON</p> <p>2 materials?</p> <p>3 MR. MARK KLEIN: Any of those</p> <p>4 materials.</p> <p>5 MR. JAMES KLEIN: He is saying</p> <p>6 that it is not a yes or no question, and</p> <p>7 you are not giving him the opportunity to</p> <p>8 answer.</p> <p>9 MR. MARK KLEIN: Mr. Klein, if</p> <p>10 you continue obstructing this deposition,</p> <p>11 I'll get the magistrate on the phone.</p> <p>12 You are entitled to make objections as to</p> <p>13 form, not speaking objections, not</p> <p>14 coaching, and if you continue we will get</p> <p>15 the magistrate on the phone. Is that</p> <p>16 understood?</p> <p>17 MR. JAMES KLEIN: I am making</p> <p>18 an objection as to form.</p> <p>19 MR. MARK KLEIN: Say objection</p> <p>20 as to form. That is it. That is all</p> <p>21 you are allowed to do.</p> <p>22 MR. JAMES KLEIN: I think I am</p> <p>23 allowed to explain what the form objection</p> <p>24 is.</p> <p>25 MR. MARK KLEIN: Only if I ask,</p>	<p style="text-align: right;">Page 332</p> <p>1 WILSON</p> <p>2 (Pause.)</p> <p>3 (Conference call with the</p> <p>4 magistrate judge as follows:</p> <p>5 MR. MARK KLEIN: We are on the</p> <p>6 record. The witness has left the room,</p> <p>7 and our conversation is being taken down.</p> <p>8 THE LAW CLERK: Is the reporter</p> <p>9 there?</p> <p>10 MR. MARK KLEIN: Yes, the court</p> <p>11 reporter is taking it down.</p> <p>12 THE LAW CLERK: You are</p> <p>13 plaintiff's counsel?</p> <p>14 MR. MARK KLEIN: I am</p> <p>15 defendants' counsel, Mark Klein,</p> <p>16 K-L-E-I-N, from the New York State</p> <p>17 Attorney General's Office.</p> <p>18 THE LAW CLERK: And it is your</p> <p>19 application?</p> <p>20 MR. MARK KLEIN: Yes, I am</p> <p>21 taking the deposition.</p> <p>22 THE LAW CLERK: Okay. So if</p> <p>23 you could summarize for me the dispute,</p> <p>24 and I will give that information to the</p> <p>25 judge.</p>

<p>Page 333</p> <p>1 WILSON</p> <p>2 MR. MARK KLEIN: I am asking</p> <p>3 questions of the witness, and Mr. Klein,</p> <p>4 James Klein, a different Klein, who is</p> <p>5 representing Dr. Wilson at the deposition</p> <p>6 is making speaking objections. I've told</p> <p>7 him he is entitled to state objection as</p> <p>8 to form but not make speaking objections,</p> <p>9 number one. And, number two, lastly he</p> <p>10 has been interrupting my questions, so I</p> <p>11 can't even get my questions out on the</p> <p>12 record before he starts interrupting and</p> <p>13 making objections which are more than</p> <p>14 objections as to form.</p> <p>15 MR. JAMES KLEIN: Do I get to</p> <p>16 respond to that.</p> <p>17 THE LAW CLERK: Yes, you do.</p> <p>18 Go ahead, Mr. Klein.</p> <p>19 MR. JAMES KLEIN: First of all,</p> <p>20 I do have the opportunity to make</p> <p>21 objections, but I do have objections as to</p> <p>22 form. Those objections as to form have</p> <p>23 aspects to them. I explained what is the</p> <p>24 form that is objectionable, and then,</p> <p>25 second, I've made an objection</p>	<p>Page 335</p> <p>1 WILSON</p> <p>2 don't interrupt my questions and restrict</p> <p>3 your objections to form, I got angry, and</p> <p>4 I said I am calling the magistrate. That</p> <p>5 is the extent of any conduct --</p> <p>6 MR. JAMES KLEIN: And then he</p> <p>7 stood up, and he threw the --</p> <p>8 MR. MARK KLEIN: And he is</p> <p>9 interrupting me again like he does</p> <p>10 repeatedly. The record will reflect the</p> <p>11 fact that I am not misstating the witness'</p> <p>12 testimony, and if I am the record will</p> <p>13 reflect that, and Mr. Klein can make his</p> <p>14 objections as to that, but this --</p> <p>15 THE LAW CLERK: Okay.</p> <p>16 MR. MARK KLEIN: --</p> <p>17 interrupting me and making speaking</p> <p>18 objections is totally inappropriate. It</p> <p>19 is interfering with my ability to</p> <p>20 answer -- to ask this witness questions,</p> <p>21 and it is interfering with the deposition,</p> <p>22 and I think it ought to be stopped.</p> <p>23 THE LAW CLERK: Okay. I think</p> <p>24 I have everything I need. I am just</p> <p>25 going to put you guys on hold, and let the</p>
<p>Page 334</p> <p>1 WILSON</p> <p>2 specifically as to that he is</p> <p>3 mischaracterizing the previous testimony,</p> <p>4 which is obviously a different objection</p> <p>5 because he continually asks my client</p> <p>6 questions, and then he rephrases it into a</p> <p>7 different form that misstates the question</p> <p>8 and then badgers my client into saying yes</p> <p>9 or no answers, which my client refuses to</p> <p>10 do, and then he is badgering him, and then</p> <p>11 the second statement is that his conduct</p> <p>12 is just totally outrageous and</p> <p>13 unprofessional. He is standing up,</p> <p>14 banging books on the table in an</p> <p>15 attempt -- every aspect that he is doing</p> <p>16 is an attempt to intimidate both me and my</p> <p>17 client, and I will not be intimidated by</p> <p>18 banging books on the table and by him</p> <p>19 standing around pointing his finger at me.</p> <p>20 It is an attempt to physically and</p> <p>21 emotional intimidate me and my client, and</p> <p>22 I will not stand for it.</p> <p>23 MR. MARK KLEIN: First of all,</p> <p>24 when what Mr. Klein said is not accurate.</p> <p>25 The last time he interrupted after I said</p>	<p>Page 336</p> <p>1 WILSON</p> <p>2 judge know what the circumstances are.</p> <p>3 MR. MARK KLEIN: Thank you.</p> <p>4 (Pause.)</p> <p>5 JUDGE SCANLAN: Hi, this is</p> <p>6 Judge Scanlan.</p> <p>7 MR. MARK KLEIN: Good morning,</p> <p>8 Judge Scanlan. I understand in you are</p> <p>9 in a deposition. Is the court reporter</p> <p>10 there?</p> <p>11 MR. MARK KLEIN: Yes.</p> <p>12 JUDGE SCANLAN: If she or he</p> <p>13 could take down this conversation, I would</p> <p>14 appreciate it, and then is the witness in</p> <p>15 the room?</p> <p>16 MR. MARK KLEIN: No, he is not.</p> <p>17 MR. JAMES KLEIN: No.</p> <p>18 JUDGE SCANLAN: Okay. All</p> <p>19 right. So could you -- so what is -- I</p> <p>20 have a summary from my law clerk, but if</p> <p>21 you could tell me what your respective</p> <p>22 positions are.</p> <p>23 MR. MARK KLEIN: This is Mark</p> <p>24 Klein, your Honor, for defendants. I am</p> <p>25 deposing Dr. Wilson. This is the second</p>

<p style="text-align: right;">Page 337</p> <p>1 WILSON</p> <p>2 day of his deposition, and I have been</p> <p>3 asking him a series of questions to which</p> <p>4 James Klein, who is representing Dr.</p> <p>5 Wilson at the deposition has been making</p> <p>6 speaking objections, and on top of that</p> <p>7 interrupting me during my questions with</p> <p>8 objections, so that I can't even finish</p> <p>9 the question on the record. I told him</p> <p>10 that he was entitled to make an objection</p> <p>11 as to form and put that on the record, but</p> <p>12 he was not entitled to make speaking</p> <p>13 objections, and if he continued to do that</p> <p>14 I was going to have to call the judge.</p> <p>15 He continued to make speaking</p> <p>16 objections, and then the last thing that</p> <p>17 happened before I called -- decided to</p> <p>18 call the court is he didn't even let me</p> <p>19 finish the last question I was asking.</p> <p>20 He started to make an objection in the</p> <p>21 middle of my question, and I said I am</p> <p>22 calling the judge, and we called your</p> <p>23 Honor.</p> <p>24 JUDGE SCANLAN: Okay.</p> <p>25 MR. JAMES KLEIN: My view is,</p>	<p style="text-align: right;">Page 339</p> <p>1 WILSON</p> <p>2 intimidating maner. We got into this</p> <p>3 morning on issues we spoke about, and he</p> <p>4 literally stood up and threw a book down</p> <p>5 on the table and started pointing at me</p> <p>6 and pointing at me in a intimidating</p> <p>7 manner in an attempt to intimidate me and</p> <p>8 my client physically and emotionally</p> <p>9 throughout yesterday and today, and I just</p> <p>10 will not allow him to do that.</p> <p>11 MR. MARK KLEIN: Your honor,</p> <p>12 what Mr. Klein just said is inaccurate.</p> <p>13 I didn't have a book. I didn't throw a</p> <p>14 book --</p> <p>15 MR. JAMES KLEIN: The book is</p> <p>16 in front of you.</p> <p>17 JUDGE SCANLA: All right.</p> <p>18 Stop. You could continue this deposition</p> <p>19 if you want, but each side needs to let</p> <p>20 the other side finish the statement, so</p> <p>21 the court reporter can get an accurate</p> <p>22 transcript. There are no speaking</p> <p>23 objections allowed. The only objection</p> <p>24 you can make is to form or instruct your</p> <p>25 client not to answer if you have a</p>
<p style="text-align: right;">Page 338</p> <p>1 WILSON</p> <p>2 your Honor, and this is James Klein, Mr.</p> <p>3 Klein has been continually badgering my</p> <p>4 client into making statements that are</p> <p>5 not -- are totally mischaracterized. He</p> <p>6 asks incredibly vague questions, and then</p> <p>7 he asks -- and then he mischaracterizes</p> <p>8 the response and then says give me a yes</p> <p>9 or no answer. So I have been increasingly</p> <p>10 upset about his tactics, and my client,</p> <p>11 not me, my client has asked for</p> <p>12 clarification. My client has said yes or</p> <p>13 no answers are not responsive, and then</p> <p>14 Mr. Klein does not give him an opportunity</p> <p>15 to give his full response, and then he</p> <p>16 continues to mischaracterize the previous</p> <p>17 testimony as a way to badger my client</p> <p>18 into giving answers that are not a true</p> <p>19 and accurate reflection of the evidence in</p> <p>20 this case, and so I have been increasingly</p> <p>21 strong in my objection of him allowing him</p> <p>22 to do that, and then in connection with</p> <p>23 that both yesterday and today Mr. Klein's</p> <p>24 response to that has to been acting in a</p> <p>25 both physically and emotionally</p>	<p style="text-align: right;">Page 340</p> <p>1 WILSON</p> <p>2 legitimate basis for doing it. It is</p> <p>3 very, very simple. There shouldn't be any</p> <p>4 physical interaction of the kind you are</p> <p>5 describing if it in fact happened. You</p> <p>6 all know what the rules are here, and if</p> <p>7 there is a problem with</p> <p>8 mischaracterization, alleged</p> <p>9 mischaracterization of the testimony you</p> <p>10 can submit the testimony for a ruling on</p> <p>11 whether the -- if that answer, question</p> <p>12 and answer should stand or not. You can</p> <p>13 mark it as you are going along. You can</p> <p>14 do it there or you can come and do the</p> <p>15 deposition here in the courthouse and</p> <p>16 reserve a room with the clerk's office,</p> <p>17 and I will have one of my clerk's sit in</p> <p>18 with you, and if you really can't do it,</p> <p>19 you can do it in front of me.</p> <p>20 You know, this case is</p> <p>21 contentious. You have very different</p> <p>22 ideas about your clients. Your clients</p> <p>23 have very different ideas about what</p> <p>24 happened, but this needs to get done, so</p> <p>25 it is up to you to conduct it in a</p>

<p style="text-align: right;">Page 341</p> <p>1 WILSON</p> <p>2 professional manner, and doing it calmly</p> <p>3 seems to be the best way given the</p> <p>4 allegations you are making about each</p> <p>5 other --</p> <p>6 MR. JAMES KLEIN: Your honor --</p> <p>7 JUDGE SCANLAN: If you want to</p> <p>8 continue the deposition now or not --</p> <p>9 MR. JAMES KLEIN: Your honor,</p> <p>10 this is James Klein. I have one point of</p> <p>11 clarification. When you say I can make an</p> <p>12 objection as to form, do I have any</p> <p>13 opportunity to actually explain what</p> <p>14 my --</p> <p>15 JUDGE SCANLAN: No. You are</p> <p>16 not. You object to form. That is it.</p> <p>17 MR. JAMES KLEIN: Okay. That</p> <p>18 is clarified. Thank you, Judge.</p> <p>19 MR. MARK KLEIN: Thank you,</p> <p>20 your Honor.</p> <p>21 JUDGE SCANLAN: Anything else?</p> <p>22 MR. MARK KLEIN: Not at this</p> <p>23 time, your Honor. Thank you.</p> <p>24 JUDGE SCANLAN: All right. I</p> <p>25 will tell you if you call again you may</p>	<p style="text-align: right;">Page 343</p> <p>1 WILSON</p> <p>2 A. You asked me if I reviewed -- if</p> <p>3 I created this document, this -- what is</p> <p>4 the number? 16, Exhibit 16, which is the</p> <p>5 the Amended Complaint. So the answer is</p> <p>6 I didn't review this before it was</p> <p>7 submitted. I didn't approve it before it</p> <p>8 was submitted. I protested with my</p> <p>9 attorney after it was submitted, and I</p> <p>10 asked him to withdraw it and to -- because</p> <p>11 he missed many important things and -- and</p> <p>12 so -- so the answer is that it was</p> <p>13 submitted it, but over my protest and</p> <p>14 without my review and without adequate</p> <p>15 input. That is my answer to one of the</p> <p>16 things that you asked.</p> <p>17 Q. Actually I asked you whether you</p> <p>18 prepared any portions of it, and you</p> <p>19 answered those questions.</p> <p>20 A. No, I -- I amended that. That</p> <p>21 these portions I did not -- the attorney</p> <p>22 submitted these. I didn't prepare any</p> <p>23 portion of this document here.</p> <p>24 Q. Okay. Well, your testimony</p> <p>25 previously was otherwise, but I understand</p>
<p style="text-align: right;">Page 342</p> <p>1 WILSON</p> <p>2 not be able to get me. If this continues</p> <p>3 like I said, if there are problems like I</p> <p>4 said, we can continue the deposition here.</p> <p>5 MR. JAMES KLEIN: Thank you,</p> <p>6 your Honor.</p> <p>7 MR. MARK KLEIN: Thank you.</p> <p>8 JUDGE SCANLAN: Thanks. Take</p> <p>9 care.</p> <p>10 (End of conference call.)</p> <p>11 MR. MARK KLEIN: Would you</p> <p>12 bring Dr. Wilson back in.</p> <p>13 (Dr. Wilson returns to the</p> <p>14 conference room.)</p> <p>15 MR. MARK KLEIN: Could I hear</p> <p>16 the last question, please.</p> <p>17 (Record read.)</p> <p>18 A. I would like to amend a previous</p> <p>19 answer.</p> <p>20 Q. Did you discuss your answer that</p> <p>21 you would like to amend with your counsel</p> <p>22 out of the room just now?</p> <p>23 A. No.</p> <p>24 Q. What answer would you like to</p> <p>25 amend?</p>	<p style="text-align: right;">Page 344</p> <p>1 WILSON</p> <p>2 your answer now.</p> <p>3 MR. MARK KLEIN: Could I hear</p> <p>4 the partial question again, please.</p> <p>5 (Record read.)</p> <p>6 Q. After the "raid" that you</p> <p>7 testified about yesterday in January 2012</p> <p>8 at any point between then and today, did</p> <p>9 you take home any of the materials that</p> <p>10 had been in your office either at 25</p> <p>11 Broadway or at the campus on -- at</p> <p>12 Brooklyn College?</p> <p>13 A. After April or approximately in</p> <p>14 April 2016 whatever was left over on the</p> <p>15 main campus that is the only access I had</p> <p>16 to it to have opportunity to take what was</p> <p>17 left over.</p> <p>18 Q. So in April 2016 you took home</p> <p>19 some materials, correct?</p> <p>20 A. That's correct.</p> <p>21 Q. Do you have any evidence that</p> <p>22 you did not take home your oak easel?</p> <p>23 A. My oak easel was not present.</p> <p>24 Q. Do you have any evidence that</p> <p>25 you didn't take home your Apple monitor?</p>

<p style="text-align: right;">Page 345</p> <p>1 WILSON</p> <p>2 A. I would not have been able to</p> <p>3 carry those physically. I am physically</p> <p>4 unable to carry heavy weight. So that is</p> <p>5 the evidence. I couldn't carry it even if</p> <p>6 it was there, but it wasn't there. So I</p> <p>7 couldn't take it, and I also know that it</p> <p>8 wasn't there because other people didn't</p> <p>9 see things of that nature in that office.</p> <p>10 For example, when I went there on -- in</p> <p>11 April of 2016 I was looking specifically</p> <p>12 for any of my personal objects, and so I</p> <p>13 didn't see them. So how do you have</p> <p>14 evidence of something that is not there?</p> <p>15 Q. Do you have any evidences that</p> <p>16 you didn't take home your professional</p> <p>17 letters including the letter you said</p> <p>18 President Wilson sent to your father?</p> <p>19 A. I didn't say President Wilson.</p> <p>20 You said President Wilson.</p> <p>21 Q. I'm sorry. President Roosevelt.</p> <p>22 Your attorney found that humorous, but do</p> <p>23 you have any evidence that you didn't take</p> <p>24 home any of your professional letters</p> <p>25 including the letter that you said</p>	<p style="text-align: right;">Page 347</p> <p>1 WILSON</p> <p>2 that, so the answer is no on that.</p> <p>3 Q. Do you have any evidence</p> <p>4 that -- well, you said --</p> <p>5 A. But he was in charge of the</p> <p>6 facility. He was in control of it,</p> <p>7 so --</p> <p>8 Q. Do you have any evidence besides</p> <p>9 Mr. Cheng supposedly being in charge of</p> <p>10 the facility that he personally seized and</p> <p>11 failed to return your Apple monitor?</p> <p>12 A. First of all, he wasn't</p> <p>13 supposedly. He was actually in charge.</p> <p>14 So he would have been responsible for any</p> <p>15 type of seizure of property that was on</p> <p>16 the premises on -- on either campus.</p> <p>17 Q. Do you have any evidence that</p> <p>18 Mr. Cheng personally seized and failed to</p> <p>19 return your professional letters including</p> <p>20 the letter you said President Roosevelt</p> <p>21 sent to your father?</p> <p>22 A. Other than that he was</p> <p>23 personally in charge of the offices as an</p> <p>24 administrator.</p> <p>25 Q. Other than that assertion, no,</p>
<p style="text-align: right;">Page 346</p> <p>1 WILSON</p> <p>2 President Roosevelt sent to your father?</p> <p>3 A. Yes, because the evidence was</p> <p>4 that when I went to Africana studies I</p> <p>5 specifically asked Linda Day where my --</p> <p>6 where are my letters? Where is my</p> <p>7 research? Where is my documents? She</p> <p>8 said I don't know anything. I haven't</p> <p>9 seen those. So they were not present.</p> <p>10 Q. Do you have any evidence that</p> <p>11 Mr. Cheng seized and failed to return your</p> <p>12 wife's oak easel?</p> <p>13 A. I have evidence that Mr. Cheng</p> <p>14 was in charge of the facility</p> <p>15 probably -- well, he was provost or</p> <p>16 associate provost in charge of the</p> <p>17 facilities at both -- at all three of my</p> <p>18 offices. So the evidence is he was in</p> <p>19 charge of that stuff, so --</p> <p>20 Q. Do you have any charge --</p> <p>21 MR. MARK KLEIN: Withdrawn.</p> <p>22 Q. Do you have any evidence that</p> <p>23 Mr. Cheng personally seized and failed to</p> <p>24 return your wife's oak easel? Yes or no.</p> <p>25 A. I didn't see him personally do</p>	<p style="text-align: right;">Page 348</p> <p>1 WILSON</p> <p>2 you don't have any evidence?</p> <p>3 A. That's correct.</p> <p>4 Q. Do you have any evidence that</p> <p>5 Mr. Cheng personally seized and failed to</p> <p>6 return your "Special books"?</p> <p>7 A. Other than the fact that he was</p> <p>8 on the premises at 25 Broadway and in my</p> <p>9 office at 25 Broadway on numerous</p> <p>10 occasions, and he was in control of the</p> <p>11 premises, and he would have access to all</p> <p>12 of those materials, which I had zero</p> <p>13 access to that, that is the evidence.</p> <p>14 Q. Do you have any evidence that</p> <p>15 Mr. Cheng personally seized and failed to</p> <p>16 return your jazz albums, your manuscripts,</p> <p>17 your research and research notes, and your</p> <p>18 lecture and lecture notes?</p> <p>19 A. I have evidence that he was in</p> <p>20 my office at 25 Broadway. He was on that</p> <p>21 campus, that he was in charge where all of</p> <p>22 my items and property were stored.</p> <p>23 Q. So that is the only evidence you</p> <p>24 have, correct?</p> <p>25 A. That is the evidence.</p>

<p style="text-align: right;">Page 349</p> <p>1 WILSON</p> <p>2 Q. All right. Now, you recall</p> <p>3 that you testified yesterday that sometime</p> <p>4 in 2014 Mr. Cheng according to you made a</p> <p>5 defamatory statement, correct?</p> <p>6 A. That's correct.</p> <p>7 Q. Do you know when in 2014 he made</p> <p>8 that statement allegedly?</p> <p>9 A. I don't know precisely, and as I</p> <p>10 said I believe yesterday I said 2013. So</p> <p>11 it was -- I have to be approximate because</p> <p>12 I don't know the exact date, but it was</p> <p>13 2013, 2014, and I know that based on what</p> <p>14 people who were in meetings with Cheng</p> <p>15 told me at that time that he made</p> <p>16 defamatory comments about me.</p> <p>17 Q. Do you know what words Mr. Cheng</p> <p>18 used that you characterized as defamatory</p> <p>19 --</p> <p>20 A. Criminal.</p> <p>21 Q. Please --</p> <p>22 A. I'am sorry. Go ahead.</p> <p>23 Q. Let me finish the question.</p> <p>24 Then you can talk.</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 351</p> <p>1 WILSON</p> <p>2 the word "Criminal" in reference to you?</p> <p>3 A. I can describe the instances and</p> <p>4 we will have to figure out the dates, but</p> <p>5 I can describe the instances. Do you</p> <p>6 want to know the instances?</p> <p>7 Q. Please.</p> <p>8 A. The instance was with Steve</p> <p>9 Leberstein meeting with Ivy Rich on</p> <p>10 numerous meetings, and Ivy Rich repeating</p> <p>11 Cheng's defamation that I was to use</p> <p>12 another word, thief, criminal and not to</p> <p>13 use my image or photo in a photographic</p> <p>14 display that Cheng commissioned with the</p> <p>15 Labor Arts Society, and they had a series</p> <p>16 of meetings and confrontations over that</p> <p>17 issue, and Dr. Leberstein provided</p> <p>18 photographs of my participation and</p> <p>19 development at the Center For Worker</p> <p>20 Education, and those photographs were</p> <p>21 rejected by Ivy, and there was another</p> <p>22 woman with Ivy, who -- whose name I don't</p> <p>23 recall at the moment, but Leberstein</p> <p>24 mentioned that there was another woman</p> <p>25 there working with Ivy, and this was a</p>
<p style="text-align: right;">Page 350</p> <p>1 WILSON</p> <p>2 Q. I won't interrupt you. Please</p> <p>3 don't interrupt me. Okay. It just</p> <p>4 makes the deposition take longer.</p> <p>5 Do you know what words Mr. Cheng</p> <p>6 used when you say he made defamatory</p> <p>7 statements?</p> <p>8 A. Criminal is the word that I</p> <p>9 recall.</p> <p>10 Q. So he used the word criminal?</p> <p>11 A. Right.</p> <p>12 Q. That is a yes?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know any other words that</p> <p>15 he used?</p> <p>16 A. That is the word that I recall</p> <p>17 in that period of time, that people</p> <p>18 recalled to me.</p> <p>19 Q. Now, who told you that Mr. Cheng</p> <p>20 used the word criminal in reference to you</p> <p>21 and are we talking about both 2013 and</p> <p>22 2014?</p> <p>23 A. There are different instances.</p> <p>24 Q. Do you know of any instanced in</p> <p>25 2014 where according to you Mr. Cheng used</p>	<p style="text-align: right;">Page 352</p> <p>1 WILSON</p> <p>2 hotly debated issue because of my</p> <p>3 understanding Terrence Cheng's directive</p> <p>4 not to portray me because I was a</p> <p>5 criminal. So that was one incident, a</p> <p>6 series but connected to Leberstein and</p> <p>7 Labor Arts Society.</p> <p>8 Q. Again, Dr. Wilson, my question</p> <p>9 was in what instance in 2014 were you told</p> <p>10 Mr. Cheng used the word criminal with</p> <p>11 regard to you?</p> <p>12 A. So that was one instance that I</p> <p>13 just told you, thief and criminal. Yes.</p> <p>14 Q. So, now, it is two words, thief</p> <p>15 and criminal?</p> <p>16 A. That was what I recall, thief</p> <p>17 and criminal.</p> <p>18 Q. And what you recall is based on</p> <p>19 what Steve Leberstein told you?</p> <p>20 A. At that time, correct.</p> <p>21 Q. Did anybody else tell you that?</p> <p>22 A. No. And let me just say I</p> <p>23 appreciate when you modulate your voice,</p> <p>24 and you say please and thank you, and I</p> <p>25 appreciate the professional demeanor. I</p>

<p style="text-align: right;">Page 353</p> <p>1 WILSON</p> <p>2 don't appreciate slamming papers on the</p> <p>3 table and screaming because I view that as</p> <p>4 an attempt at intimidation, and maybe you</p> <p>5 have reason to be upset, but I took</p> <p>6 personal affront to that.</p> <p>7 Q. Well, I took personal affront to</p> <p>8 your counsel interrupting my questions and</p> <p>9 making inappropriate objections. I admit</p> <p>10 I got angry at the point at which I said I</p> <p>11 am calling the judge, and I apologize for</p> <p>12 that.</p> <p>13 So if you and your counsel will</p> <p>14 follow the rules, I am happy to follow the</p> <p>15 rules, and I apologize for getting angry</p> <p>16 at the point at which I said I needed to</p> <p>17 call the judge.</p> <p>18 A. Your apology is accepted, and</p> <p>19 now I have to amend a previous answer.</p> <p>20 Q. You want to amend another</p> <p>21 answer?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. What's that?</p> <p>24 A. You asked about Dr. Currah and</p> <p>25 my Apple monitor, and -- and my oak easel,</p>	<p style="text-align: right;">Page 355</p> <p>1 WILSON</p> <p>2 identification.)</p> <p>3 Q. Dr. Wilson, I show you what has</p> <p>4 been marked as Wilson Exhibit 17. Please</p> <p>5 take a moment to review it and tell me</p> <p>6 when you have done so.</p> <p>7 (Pause.)</p> <p>8 A. Okay. I have looked at</p> <p>9 document 17.</p> <p>10 Q. Have you seen Exhibit 17 before,</p> <p>11 sir?</p> <p>12 A. Yes, I have seen Exhibit 17.</p> <p>13 Q. Did you review it before it was</p> <p>14 filed?</p> <p>15 A. No, I did not.</p> <p>16 Q. Did you prepare any portion of</p> <p>17 this document?</p> <p>18 A. No, I did not.</p> <p>19 Q. You testified before that you</p> <p>20 were displeased with the Amended</p> <p>21 Complaint, which has been marked as</p> <p>22 Exhibit 16, right?</p> <p>23 A. I am not sure what I precisely</p> <p>24 said. Maybe I could hear that played</p> <p>25 back.</p>
<p style="text-align: right;">Page 354</p> <p>1 WILSON</p> <p>2 and I told you that Dr. Currah was in my</p> <p>3 office where the Apple monitor was on the</p> <p>4 desk, so that is -- was</p> <p>5 specifically -- and not just the Apple</p> <p>6 monitor but all of my files, all of my</p> <p>7 books, my research. So that's the</p> <p>8 evidence that Dr. Currah with others but</p> <p>9 certainly Dr. Currah under his own</p> <p>10 admission had my things. What they did</p> <p>11 with them I have no idea, but they had</p> <p>12 them, and I had no access, and I had no</p> <p>13 opportunity to retrieve a single thing of</p> <p>14 voluminous amounts of material. We are</p> <p>15 talking about tens of thousands of pages</p> <p>16 of documents, sir.</p> <p>17 Q. Are you finished with your</p> <p>18 answer?</p> <p>19 A. Yes.</p> <p>20 Q. Your amendments?</p> <p>21 A. Yes, that amendment. Yes.</p> <p>22 MR. MARK KLEIN: I ask that the</p> <p>23 court reporter mark as Wilson Exhibit 17 a</p> <p>24 document titled "Third Amended Complaint."</p> <p>25 (Wilson Exhibit 17 marked for</p>	<p style="text-align: right;">Page 356</p> <p>1 WILSON</p> <p>2 Q. Well, you used the word that you</p> <p>3 protested its filing, right?</p> <p>4 A. Yes, you mean number 16.</p> <p>5 That's correct.</p> <p>6 Q. And have you brought a</p> <p>7 malpractice claim against your former</p> <p>8 attorney Collin Moore?</p> <p>9 A. I replaced my attorney Collin</p> <p>10 Moore.</p> <p>11 Q. That is not what I asked you.</p> <p>12 Have you brought a malpractice claim</p> <p>13 against Collin Moore?</p> <p>14 A. Not yet.</p> <p>15 Q. Do you intend to?</p> <p>16 A. Speculation.</p> <p>17 Q. When did you protest the filing</p> <p>18 of Exhibit 16?</p> <p>19 A. Immediately after it was filed.</p> <p>20 When I was notified that it was filed.</p> <p>21 Q. Okay. So it is your testimony</p> <p>22 that after protesting the filing of</p> <p>23 Exhibit 16 you didn't review Exhibit 17,</p> <p>24 the Third Amended Complaint, before it was</p> <p>25 filed; is that right?</p>

<p style="text-align: right;">Page 357</p> <p>1 WILSON</p> <p>2 A. That's correct. I didn't</p> <p>3 review it, and it was filed without my</p> <p>4 review.</p> <p>5 Q. I would like to direct your</p> <p>6 attention to paragraph 62 of Exhibit 17 on</p> <p>7 page 16.</p> <p>8 A. Page -- repeat that, please.</p> <p>9 Q. Page 16.</p> <p>10 A. Page 16.</p> <p>11 Q. Paragraph 62, which is at the</p> <p>12 bottom of the page.</p> <p>13 A. Yes.</p> <p>14 Q. Please read that paragraph to</p> <p>15 yourself.</p> <p>16 A. Yes. I see that.</p> <p>17 Q. All right. Now, that makes</p> <p>18 reference to a date of March 12, 2014 when</p> <p>19 Cheng allegedly told BC faculty members</p> <p>20 and Professor Jocelyn Wills and Plaintiff</p> <p>21 Wilson that "Wilson was engaging in</p> <p>22 criminal activity." Do you see that</p> <p>23 there?</p> <p>24 A. I see that.</p> <p>25 Q. Where did you get that March 12,</p>	<p style="text-align: right;">Page 359</p> <p>1 WILSON</p> <p>2 Wills on that day about what Terrence</p> <p>3 Cheng said to her.</p> <p>4 Q. So where is that contemporaneous</p> <p>5 note?</p> <p>6 A. I have to check. I have</p> <p>7 voluminous notes, so I have -- I have</p> <p>8 notes on the -- on what was said on fact</p> <p>9 sheets. I have to look for that.</p> <p>10 Q. That is interesting because no</p> <p>11 notes whatsoever have been produced by you</p> <p>12 in this case. Did you provide those</p> <p>13 notes to your counsel?</p> <p>14 A. I provided my notes to my</p> <p>15 previous counsel.</p> <p>16 Q. So Collin Moore has your notes?</p> <p>17 A. Collin Moore has some of my</p> <p>18 notes, if not many or most, if he has</p> <p>19 those.</p> <p>20 Q. Now, there is also a reference</p> <p>21 in paragraph 62 to BC faculty members.</p> <p>22 Do you see that, sir, in the second line?</p> <p>23 A. Yes.</p> <p>24 Q. What BC faculty members are</p> <p>25 referred to there?</p>
<p style="text-align: right;">Page 358</p> <p>1 WILSON</p> <p>2 2014 date?</p> <p>3 A. So this is a two-part -- the</p> <p>4 March 12, 2014 was when Jocelyn Wills told</p> <p>5 me that Terrence Cheng said I was engaged</p> <p>6 in criminal activity. However, and I</p> <p>7 didn't write this, I never said or saw or</p> <p>8 heard directly Terrence Cheng, and I don't</p> <p>9 believe I ever met Terrence Cheng, so this</p> <p>10 is not a representation of what I said.</p> <p>11 Q. So let's take it one step at a</p> <p>12 time. Who is Professor Jocelyn Wills?</p> <p>13 A. Jocelyn wills is a professor of</p> <p>14 history at Brooklyn College, and she also</p> <p>15 worked at the Graduate Center For Worker</p> <p>16 Education.</p> <p>17 Q. And it is your testimony, and</p> <p>18 please tell me if I understand it</p> <p>19 correctly, that on March 12, 2014 she told</p> <p>20 you that Mr. Cheng had said that you were</p> <p>21 "Engaging in criminal activity"; is that</p> <p>22 right?</p> <p>23 A. That is correct. That would</p> <p>24 have been contemporaneous notes that I</p> <p>25 made to myself when I spoke to Jocelyn</p>	<p style="text-align: right;">Page 360</p> <p>1 WILSON</p> <p>2 A. Jocelyn Wills on that day told</p> <p>3 me she was meeting with Terrence Cheng and</p> <p>4 other faculty members, and I don't know</p> <p>5 who else was there.</p> <p>6 Q. Now, the second sentence of that</p> <p>7 paragraph 62 says "Defendant Cheng</p> <p>8 repeated these defamatory statements to</p> <p>9 the Labor Arts Society a 501C 3</p> <p>10 organization." Do you see that?</p> <p>11 A. I see that.</p> <p>12 Q. And do you know when Mr. Cheng</p> <p>13 supposedly repeated those defamatory</p> <p>14 statements?</p> <p>15 A. I don't believe the exact date.</p> <p>16 Q. Do you know in what year it was?</p> <p>17 A. I am guessing it would have been</p> <p>18 2014.</p> <p>19 Q. Why were you guessing it was</p> <p>20 2014?</p> <p>21 A. Well, I am looking at 2014 as</p> <p>22 one of the dates when Cheng made those</p> <p>23 comments, so I would say it was -- because</p> <p>24 he made a series of defamatory comments</p> <p>25 that I heard, and as I said these were on</p>

<p style="text-align: right;">Page 361</p> <p>1 WILSON</p> <p>2 different occasions, and that was one</p> <p>3 occasion. So 2013, 2014 would have been</p> <p>4 in that time frame.</p> <p>5 Q. You just said that Mr. Cheng</p> <p>6 made a series of defamatory comments.</p> <p>7 You're saying that people told you that he</p> <p>8 had made those statements, right?</p> <p>9 A. That's correct. People told me</p> <p>10 and seeing this document actually</p> <p>11 refreshed my memory about the conversation</p> <p>12 with Professor Jocelyn Wills and what</p> <p>13 Terrence Cheng said to Jocelyn Wills.</p> <p>14 Q. But you also testified that you</p> <p>15 never met Mr. Cheng, and you never heard</p> <p>16 him say anything about you, right?</p> <p>17 A. I've never met him, and I've</p> <p>18 never heard him directly speak.</p> <p>19 Q. Okay.</p> <p>20 MR. MARK KLEIN: I am going to</p> <p>21 ask the reporter to mark as Wilson Exhibit</p> <p>22 18 a document titled "Opinion and Award."</p> <p>23 (Wilson Exhibit 18 marked for</p> <p>24 identification.)</p> <p>25 (Document handed to witness.)</p>	<p style="text-align: right;">Page 363</p> <p>1 WILSON</p> <p>2 A. No.</p> <p>3 Q. Did you file any appeal from</p> <p>4 this Opinion and Award?</p> <p>5 A. You mean did my Attorney Collin</p> <p>6 Moore file any appeal.</p> <p>7 Q. Or your attorney Mr. Zwiebach.</p> <p>8 Let's be clear. Mr. Zwiebach represented</p> <p>9 you in connection with the arbitration,</p> <p>10 right?</p> <p>11 A. Yes.</p> <p>12 Q. And were you aware that you had</p> <p>13 a right to appeal this Opinion and Award?</p> <p>14 A. Not until you made mention of</p> <p>15 this.</p> <p>16 Q. When did I make mention of it?</p> <p>17 A. Just now.</p> <p>18 Q. Okay. Did you ever ask to</p> <p>19 anyone about whether you had the right to</p> <p>20 appeal this Opinion and Award?</p> <p>21 A. Yes, I actually directed Mr.</p> <p>22 Moore to appeal this decision, and he</p> <p>23 never did it.</p> <p>24 Q. I am going to give you another</p> <p>25 blank piece of paper, and I would like to</p>
<p style="text-align: right;">Page 362</p> <p>1 WILSON</p> <p>2 Q. Dr. Wilson, I show you what has</p> <p>3 been marked as Exhibit 18. I am not</p> <p>4 going to ask you any details about this</p> <p>5 document. My first question is whether</p> <p>6 you have seen this before?</p> <p>7 A. Yes. I have seen this before.</p> <p>8 Q. Did you provide this document to</p> <p>9 any of your expert witnesses in this case?</p> <p>10 A. No.</p> <p>11 Q. So just to be clear you didn't</p> <p>12 provide it to Dr. Kelly, right?</p> <p>13 A. Correct.</p> <p>14 Q. You didn't provide it to Dr.</p> <p>15 Horn, right?</p> <p>16 A. Right.</p> <p>17 Q. You didn't provide it to Mr.</p> <p>18 Addams, right?</p> <p>19 A. That's correct.</p> <p>20 Q. And you didn't provide it to Mr.</p> <p>21 Day?</p> <p>22 A. No.</p> <p>23 Q. Did you provide it to any of the</p> <p>24 prospective employers that you talked to</p> <p>25 about employment opportunities?</p>	<p style="text-align: right;">Page 364</p> <p>1 WILSON</p> <p>2 employ your drawing skills again. If you</p> <p>3 would draw a picture or a depiction of</p> <p>4 your office on the Brooklyn College</p> <p>5 campus.</p> <p>6 A. Well, first I would like to</p> <p>7 amend the previous drawing.</p> <p>8 Q. You want to amend the previous</p> <p>9 drawing?</p> <p>10 A. Yes.</p> <p>11 Q. The one you made yesterday?</p> <p>12 A. That's correct.</p> <p>13 Q. In what way do you want to</p> <p>14 change it?</p> <p>15 A. The orientation was wrong, and</p> <p>16 there was an additional window.</p> <p>17 Q. Okay. I am going to give</p> <p>18 you --</p> <p>19 A. Here it is.</p> <p>20 Q. That is a copy of it. Actually</p> <p>21 that is a good idea. I am going to give</p> <p>22 you a copy of what was marked as Exhibit 2</p> <p>23 yesterday, and I am going to ask the</p> <p>24 reporter to mark this copy as Exhibit 19.</p> <p>25 (Wilson Exhibit 19 marked for</p>

16 (Pages 361 - 364)

<p style="text-align: right;">Page 365</p> <p>1 WILSON</p> <p>2 identification.)</p> <p>3 Q. Now, using a blue pen, if you</p> <p>4 could change what you think needs</p> <p>5 changing.</p> <p>6 A. So this window faced Broadway.</p> <p>7 Q. So that is the window that you</p> <p>8 said was on the north side yesterday?</p> <p>9 A. That is what I said. So</p> <p>10 this -- so Broadway from my window would</p> <p>11 face east.</p> <p>12 Q. Okay. Instead of north it</p> <p>13 should have said east, right?</p> <p>14 A. That's correct.</p> <p>15 Q. You can put a cross or an X</p> <p>16 through the N as you did.</p> <p>17 A. And to my left there was another</p> <p>18 window, and so I guess this would have</p> <p>19 been north. So this would have been</p> <p>20 north, and then this would have been</p> <p>21 south. So there was an extra window</p> <p>22 facing walls and buildings to my, left and</p> <p>23 then in front of me would have been facing</p> <p>24 east.</p> <p>25 Q. Which was --</p>	<p style="text-align: right;">Page 367</p> <p>1 WILSON</p> <p>2 documents, or tens of thousands of</p> <p>3 documents, hundreds of projects that I am</p> <p>4 working on when someone seized this and</p> <p>5 smashes it and mixes it up, and, you know,</p> <p>6 it is hard to remember exactly everything</p> <p>7 that was there, sorry, it is like -- but</p> <p>8 this was to the best of my recollection.</p> <p>9 The bookshelf was here. My desk was here.</p> <p>10 Broadway was here. My desk was here. The</p> <p>11 dimensions were approximate.</p> <p>12 Q. I think yesterday you said they</p> <p>13 were approximately 20 by 15; is that</p> <p>14 right?</p> <p>15 A. But I -- I can't, you</p> <p>16 know -- that is approximate. It could</p> <p>17 have been 20. It could have been 25. I</p> <p>18 don't know exactly. So. --</p> <p>19 Q. Just so we are clear, which was</p> <p>20 the longer dimension?</p> <p>21 A. The longer dimension would have</p> <p>22 been from east to west.</p> <p>23 Q. So along the wall where your</p> <p>24 bookshelves were?</p> <p>25 A. That's right.</p>
<p style="text-align: right;">Page 366</p> <p>1 WILSON</p> <p>2 A. Towards Broadway.</p> <p>3 Q. Which was on Broadway?</p> <p>4 A. That's correct.</p> <p>5 Q. So the wall of bookshelves that</p> <p>6 you testified to yesterday was on the</p> <p>7 south side of the building?</p> <p>8 A. Where the door -- where the</p> <p>9 doorway was. Correct.</p> <p>10 Q. Okay. Are there any other</p> <p>11 changes you want to make to that drawing?</p> <p>12 A. No, but there may have been</p> <p>13 other file cabinets in here, but -- so</p> <p>14 file cabinets.</p> <p>15 Q. So what did you write?</p> <p>16 A. FC, file cabinets.</p> <p>17 Q. FC and question mark?</p> <p>18 A. Question mark.</p> <p>19 Q. Because you are not sure?</p> <p>20 A. Here is a file cabinet, but yes,</p> <p>21 and then I had -- I had other file</p> <p>22 cabinets, but I am not sure -- the issue</p> <p>23 for me is when you have a library with</p> <p>24 hundreds of thousands of pages of books,</p> <p>25 hundreds of thousands of pages of</p>	<p style="text-align: right;">Page 368</p> <p>1 WILSON</p> <p>2 Q. All right. So I've given you</p> <p>3 another blank piece of paper. Could you</p> <p>4 please draw your office on the Brooklyn</p> <p>5 College campus?</p> <p>6 A. Uh-huh. Well, I had more than</p> <p>7 one office, so which office are you</p> <p>8 referring to?</p> <p>9 Q. The one in the political science</p> <p>10 department.</p> <p>11 A. All right. See so this would</p> <p>12 have been the door. This would have been</p> <p>13 window.</p> <p>14 Q. What was the number of your</p> <p>15 office?</p> <p>16 A. So the third floor. I don't</p> <p>17 recall the number off the top of my head.</p> <p>18 Q. How long had you been in that</p> <p>19 office?</p> <p>20 A. Maybe ten, fifteen years.</p> <p>21 Q. You have drawn an outline of the</p> <p>22 office, and you have indicated where the</p> <p>23 door and the window were?</p> <p>24 A. Yes.</p> <p>25 Q. Can you orient us as to north</p>

<p style="text-align: right;">Page 369</p> <p>1 WILSON</p> <p>2 and south, east and west.</p> <p>3 A. I am not certain of the north</p> <p>4 and south. This one faced the courtyard,</p> <p>5 and this one faced the hallway.</p> <p>6 Q. Okay. The window looked out on</p> <p>7 to a courtyard?</p> <p>8 A. Yes.</p> <p>9 Q. And the courtyard being where?</p> <p>10 A. Brooklyn College campus.</p> <p>11 Q. All right.</p> <p>12 A. I don't know which --</p> <p>13 Q. So from that window you could</p> <p>14 see the other buildings where James Hall</p> <p>15 was, correct?</p> <p>16 A. No, you can't see James Hall.</p> <p>17 James Hall was in this direction. This</p> <p>18 is located in James Hall.</p> <p>19 Q. Correct. But if you looked at</p> <p>20 your window, you could see other buildings</p> <p>21 in the Brooklyn College campus.</p> <p>22 A. Yes.</p> <p>23 Q. What buildings could you see?</p> <p>24 A. Each building had a name, and,</p> <p>25 you know, I don't remember the names of</p>	<p style="text-align: right;">Page 371</p> <p>1 WILSON</p> <p>2 Q. You have indicated chairs by</p> <p>3 marking an X on the diagram?</p> <p>4 A. Yes.</p> <p>5 Q. Now, which of the chairs did you</p> <p>6 sit on behind the desk?</p> <p>7 A. These two.</p> <p>8 Q. Okay. How should we note that?</p> <p>9 Why don't you put JW there. Is that</p> <p>10 okay?</p> <p>11 A. Okay.</p> <p>12 Q. Now, besides two desks and four</p> <p>13 chairs, you have indicated what other</p> <p>14 furniture was in the office?</p> <p>15 A. There were file cabinets.</p> <p>16 Q. Where were the file cabinets?</p> <p>17 A. The file cabinets were located</p> <p>18 under the desk. I believe there were two</p> <p>19 file cabinets here, and I had file</p> <p>20 cabinets on either side of the desk, and</p> <p>21 the desk also had files.</p> <p>22 Q. You are putting FC for file</p> <p>23 cabinets?</p> <p>24 A. Correct.</p> <p>25 Q. How big were they?</p>
<p style="text-align: right;">Page 370</p> <p>1 WILSON</p> <p>2 each particular building. There was a</p> <p>3 student activity center which would have</p> <p>4 been in this direction. It was a new</p> <p>5 building. Student activities, and then</p> <p>6 -- and in the other direction there</p> <p>7 was -- in the opposite. I don't know the</p> <p>8 name, but there was a gymnasium.</p> <p>9 Q. Okay. That is good. Let's</p> <p>10 talk about what was inside your office.</p> <p>11 A. Okay.</p> <p>12 Q. Do you remember the dimensions</p> <p>13 of your office that you are drawing?</p> <p>14 A. I would say roughly 20 by 25.</p> <p>15 Q. Which was the long dimension?</p> <p>16 A. This would have been the long.</p> <p>17 This is it. Right.</p> <p>18 Q. Okay. Now, what furniture did</p> <p>19 you have in the office?</p> <p>20 A. I had two desks.</p> <p>21 Q. Where were the chairs to those</p> <p>22 desks?</p> <p>23 A. There is a chair here, a chair</p> <p>24 here, a chair here, chair here, chair</p> <p>25 here.</p>	<p style="text-align: right;">Page 372</p> <p>1 WILSON</p> <p>2 A. Standard size.</p> <p>3 Q. What is standard size?</p> <p>4 A. These would have been three</p> <p>5 drawers. I think these were -- these</p> <p>6 were two drawers, two drawers, as I</p> <p>7 recall. I am not positive. Two or</p> <p>8 three.</p> <p>9 Q. Were these metal or wooden file</p> <p>10 cabinets or both?</p> <p>11 A. Those were metal.</p> <p>12 Q. So all the file cabinets you've</p> <p>13 noted as being under or next to the two</p> <p>14 desks were metal file cabinets?</p> <p>15 A. That's correct.</p> <p>16 Q. And they had two drawers?</p> <p>17 A. Approximately top and bottom</p> <p>18 draw. Right.</p> <p>19 Q. What was in the file cabinets,</p> <p>20 the four file cabinets that you've noted</p> <p>21 thus far?</p> <p>22 A. It would have been letters,</p> <p>23 personnel files, some research.</p> <p>24 Q. What research?</p> <p>25 A. Any articles that I was reading</p>

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<p style="text-align: right;">Page 373</p> <p>1 WILSON</p> <p>2 at that particular moment.</p> <p>3 Q. What other furniture was in your</p> <p>4 office at James Hall?</p> <p>5 A. This entire wall was wooden</p> <p>6 bookcases with glass doors.</p> <p>7 Q. Why don't you put BC -- book</p> <p>8 case is fine. Why don't you write it.</p> <p>9 That's fine. Thank you.</p> <p>10 A. Glass doors.</p> <p>11 Q. And what books were in there?</p> <p>12 A. Academic books, books that I</p> <p>13 read over the years.</p> <p>14 Q. Can you identify any books that</p> <p>15 were there?</p> <p>16 A. I can tell you there were</p> <p>17 hundreds and hundreds of books.</p> <p>18 Q. Were there any books located on</p> <p>19 that -- on the bookcases that you have</p> <p>20 noted that weren't returned to you?</p> <p>21 A. It is hard to say what was</p> <p>22 returned and what wasn't. It was such a</p> <p>23 jumble. When you -- I don't know what</p> <p>24 was returned and what was not because I</p> <p>25 don't know -- anyhow, I can't be certain.</p>	<p style="text-align: right;">Page 375</p> <p>1 WILSON</p> <p>2 A. Maybe five feet wide, maybe six</p> <p>3 feet tall.</p> <p>4 Q. You are approximating; is that</p> <p>5 right?</p> <p>6 A. Maybe seven feet. They were</p> <p>7 tall. I don't know. I don't know</p> <p>8 exactly. It was slightly taller than me</p> <p>9 is my recollection.</p> <p>10 Q. And what did you have in</p> <p>11 that -- those file drawers?</p> <p>12 A. Those were mainly student papers</p> <p>13 that I accumulated over the years,</p> <p>14 undergraduate student records, and</p> <p>15 miscellaneous research would have been on</p> <p>16 one of the shelves having to do with the</p> <p>17 various issues like issues of race</p> <p>18 affirmative action, labor issues. So it</p> <p>19 was a combination of student files or</p> <p>20 student papers particularly, and probably</p> <p>21 half of it was my newspaper articles and</p> <p>22 clippings and writings and with -- in</p> <p>23 folders. So that would be in this file in</p> <p>24 the back here.</p> <p>25 Q. Was there any other furniture in</p>
<p style="text-align: right;">Page 374</p> <p>1 WILSON</p> <p>2 Q. All right. Any other furniture</p> <p>3 in your office?</p> <p>4 A. Yes. The -- the back</p> <p>5 wall -- the door wall had a vertical --</p> <p>6 very large vertical file cabinet, and that</p> <p>7 would have been four or five. It was a</p> <p>8 very tall, wide vertical cabinet.</p> <p>9 Q. And how big was that cabinet?</p> <p>10 A. It was very big.</p> <p>11 Q. Was that made out metal or --</p> <p>12 A. Metal. Made out of metal.</p> <p>13 Q. How many shelves did it have?</p> <p>14 A. It was draws, you know, that</p> <p>15 fold open.</p> <p>16 Q. How many drawers?</p> <p>17 A. At least four or five maybe.</p> <p>18 It was taller than I was, so maybe it was</p> <p>19 five.</p> <p>20 Q. Do you know the dimensions?</p> <p>21 A. Not off the top of my head.</p> <p>22 Q. Do you know the approximate</p> <p>23 dimensions of that file cabinet?</p> <p>24 A. Maybe four feet or five feet.</p> <p>25 Q. Five feet wide.</p>	<p style="text-align: right;">Page 376</p> <p>1 WILSON</p> <p>2 your office?</p> <p>3 A. Yes.</p> <p>4 Q. What?</p> <p>5 A. This wall was lined with</p> <p>6 bookcases, metal bookcases.</p> <p>7 Q. And how many shelves to these</p> <p>8 bookcases were there?</p> <p>9 A. Maybe five or six shelves going</p> <p>10 across the length of the -- of the room.</p> <p>11 Q. Approximately how many books did</p> <p>12 you have in those bookcases?</p> <p>13 A. In entirety?</p> <p>14 Q. Well, break them down by</p> <p>15 bookshelves.</p> <p>16 A. It is hard to speculate. I</p> <p>17 can't give you an answer. There</p> <p>18 were -- my estimate is that there were two</p> <p>19 to 3,000 books in that office.</p> <p>20 Q. And what is that estimate based</p> <p>21 on?</p> <p>22 A. Just based on years of</p> <p>23 accumulating and knowing like if you could</p> <p>24 put 50 books or a hundred books, and that</p> <p>25 is hundreds of slots of shelves. So there</p>

<p style="text-align: right;">Page 377</p> <p>1 WILSON</p> <p>2 were a lot of books there. I never</p> <p>3 counted exactly. If that is your question</p> <p>4 did I count how many books, no, I didn't</p> <p>5 count my books.</p> <p>6 Q. And you didn't have an inventory</p> <p>7 of your books or a list of any kind of</p> <p>8 your books; is that right?</p> <p>9 A. That's not what academics do.</p> <p>10 Q. Okay.</p> <p>11 A. If you don't mind, if we could</p> <p>12 take a ten-minute break.</p> <p>13 Q. That's fine.</p> <p>14 (Recess taken.)</p> <p>15 (Wilson Exhibits 20 through 23</p> <p>16 marked for identification.)</p> <p>17 MR. MARK KLEIN: Back on the</p> <p>18 record.</p> <p>19 Q. Dr. Wilson, I show you what has</p> <p>20 been marked as Wilson Exhibit 20, which is</p> <p>21 a document titled "Plaintiff's Responses</p> <p>22 and Objections to Defendants' First Set of</p> <p>23 document Production Requests."</p> <p>24 (Document handed to witness.)</p> <p>25 Q. Please take a moment to briefly</p>	<p style="text-align: right;">Page 379</p> <p>1 WILSON</p> <p>2 missed --</p> <p>3 MR. MARK KLEIN: Is there more</p> <p>4 than --</p> <p>5 MR. JAMES KLEIN: Yes.</p> <p>6 MR. MARK KLEIN: That is</p> <p>7 interesting. Apparently there is a</p> <p>8 second page 42.</p> <p>9 MR. JAMES KLEIN: The last page</p> <p>10 of the document, Joe.</p> <p>11 Q. The third page from the back.</p> <p>12 MR. JAMES KLEIN: The page</p> <p>13 before that.</p> <p>14 Q. Okay. Now we are looking at a</p> <p>15 page that says 42, but it is actually the</p> <p>16 third page from the back of the document,</p> <p>17 correct?</p> <p>18 A. Correct.</p> <p>19 Q. And that is your signature?</p> <p>20 A. That is my signature.</p> <p>21 Q. And you signed this verification</p> <p>22 on August 23, 2018; is that right?</p> <p>23 A. That's correct. That's right.</p> <p>24 Q. And you declared under penalty</p> <p>25 of perjury that the facts stated in</p>
<p style="text-align: right;">Page 378</p> <p>1 WILSON</p> <p>2 familiarize yourself with the document.</p> <p>3 I will direct you to specific portions of</p> <p>4 it, and my first question to you is</p> <p>5 whether you have ever seen this before.</p> <p>6 A. Yes. Yes, I have seen this</p> <p>7 before.</p> <p>8 Q. You have seen the entire</p> <p>9 document before; is that right?</p> <p>10 A. Let me look at the entire</p> <p>11 document to make sure.</p> <p>12 Q. You are certainly free to do</p> <p>13 that, but let me point you to page 42.</p> <p>14 Maybe that will help?</p> <p>15 MR. JAMES KLEIN: Page 42 you</p> <p>16 said?</p> <p>17 MR. MARK KLEIN: Yes.</p> <p>18 A. Okay.</p> <p>19 Q. That is a verification you</p> <p>20 signed?</p> <p>21 A. I don't see that here.</p> <p>22 MR. JAMES KLEIN: 42.</p> <p>23 MR. MARK KLEIN: Page 42.</p> <p>24 A. I am looking at page 42.</p> <p>25 MR. JAMES KLEIN: It got</p>	<p style="text-align: right;">Page 380</p> <p>1 WILSON</p> <p>2 foregoing Plaintiff's responses and</p> <p>3 objections to Defendants' first set of</p> <p>4 document production requests are true and</p> <p>5 correct to the best of my knowledge,</p> <p>6 information, and belief, correct?</p> <p>7 A. That's correct.</p> <p>8 Q. Do you have any idea why you</p> <p>9 were asked to sign such a verification?</p> <p>10 MR. JAMES KLEIN: I am going to</p> <p>11 object as to form.</p> <p>12 A. I am not totally sure.</p> <p>13 Q. Do you have any idea?</p> <p>14 A. Well, it's -- to verify it.</p> <p>15 Q. Okay. I would like to direct</p> <p>16 your attention to page 4 of Exhibit 20,</p> <p>17 sir. I hope there is only one page 4.</p> <p>18 A. Okay.</p> <p>19 Q. All right. Now, I am directing</p> <p>20 your attention to the first paragraph of</p> <p>21 the response to Request Number 1. Do you</p> <p>22 see that?</p> <p>23 A. Not yet. The first paragraph</p> <p>24 of response number 1. Yes, all policies.</p> <p>25 Q. Request Number 1 requests --</p>

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1 WILSON
2 asks for all policies, and then it goes on
3 for several lines. Do you see that?
4 A. Yes, I see that.
5 Q. And then it says response to
6 request number one below that, correct?
7 A. Correct.
8 Q. And the first paragraph says
9 "Subject to and without waiving the
10 objections in this response below or the
11 general objections, Plaintiff states that
12 while following a reasonable search, the
13 plaintiff has not identified any documents
14 responsive to this request."
15 Do you see that?
16 A. I see that.
17 Q. Okay. What do you mean by you
18 haven't identified any documents?
19 A. I don't understand the question.
20 Q. Well, you said you made a
21 reasonable search; is that right, for
22 documents responsive to this request?
23 A. Let me just reread the question.
24 Policies, handbooks, manuals.
25 A. Yes, I see that, and --

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1 WILSON
2 Q. What I want to know is whether
3 you have any documents in your possession
4 or control that are responsive to that
5 request?
6 A. Not to my knowledge. Not at
7 the moment that I can tell you.
8 Q. You used the expression several
9 times in this document "Plaintiff has not
10 identified any documents responsive to
11 this request." Are you aware of that?
12 A. Yes.
13 Q. And by that expression do you
14 mean that you don't have any documents
15 responsive to the request?
16 A. The policies, handbooks,
17 manuals, instructions, agreements and so
18 forth I did not have those personally. So
19 no, I don't have those if that is your
20 question.
21 Q. My question is any time you have
22 used words "Plaintiff has not identified
23 any documents responsive to this request"
24 does that mean that you don't have any of
25 those documents --

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1 WILSON
2 A. That's correct.
3 MR. JAMES KLEIN: Objection to
4 the form.
5 Q. -- responsive to the question.
6 You both interrupted my question.
7 So my question again is, Dr.
8 Wilson, any time you use the words
9 "Plaintiff has not identified any
10 documents responsive to this request", do
11 you mean that you do not have any
12 documents in your possession or control
13 responsive to the request for documents
14 that is being made?
15 MR. JAMES KLEIN: Object as to
16 form.
17 MR. MARK KLEIN: Your objection
18 is noted.
19 Q. Can you answer the question,
20 sir?
21 A. I don't have the items listed.
22 I don't have all of the policies, the
23 handbooks, the manuals. I don't have
24 instructions. I don't have agreements.
25 Q. All right I guess you want me

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1 WILSON
2 to go through these requests one by one
3 and ask you what those words mean. Is
4 that what you are telling me?
5 A. That would be helpful.
6 Q. Okay. Let's look at request
7 number 32 on page 5. Do you see request
8 number 32?
9 A. Yes.
10 Q. And do you see in the response
11 to request number 2 you say "Plaintiff
12 states that following a reasonable search
13 the plaintiff has not identified any
14 documents responsive to this request." Do
15 you see that, sir?
16 A. Yes.
17 Q. Do you have any documents in
18 your possession or control responsive to
19 request number 2, yes or no?
20 A. No.
21 Q. All right.
22 Q. Let's go to request number 3 on
23 page 6?
24 A. Uh-huh.
25 Q. Do you see request number 3?

<p style="text-align: right;">Page 385</p> <p>1 WILSON</p> <p>2 A. Yes.</p> <p>3 Q. And you see in response to</p> <p>4 request number 3 below that you use the</p> <p>5 same express "Plaintiff has not identified</p> <p>6 any documents responsive to this request".</p> <p>7 Do you see that, sir?</p> <p>8 A. I see that.</p> <p>9 Q. Do you have any documents in</p> <p>10 your possession or control responsive to</p> <p>11 request number 3?</p> <p>12 A. We submitted to you so that</p> <p>13 would be under your control a photograph</p> <p>14 of 25 Broadway of the photographic</p> <p>15 representation. So -- so that was</p> <p>16 submitted to you, and so I don't know --</p> <p>17 Q. My question, Dr. Wilson --</p> <p>18 A. I am not clear on what you are</p> <p>19 trying --</p> <p>20 Q. Do you have -- the question was</p> <p>21 and if you could focus on the question,</p> <p>22 please --</p> <p>23 A. Uh-huh.</p> <p>24 Q. -- do you have any documents in</p> <p>25 your possession or control responsive to</p>	<p style="text-align: right;">Page 387</p> <p>1 WILSON</p> <p>2 that eliminated my representation.</p> <p>3 MR. MARK KLEIN: Okay. I call</p> <p>4 for production of that photo which was not</p> <p>5 produced.</p> <p>6 MR. JAMES KLEIN: I believe</p> <p>7 that was in a video.</p> <p>8 A. It was in a video.</p> <p>9 Q. So now you are talking about</p> <p>10 videos? Yes?</p> <p>11 A. Yes.</p> <p>12 Q. Videos I got. When you refer</p> <p>13 to a photo, I didn't get any photo.</p> <p>14 A. It is just if you stop the</p> <p>15 frame, that is a photo, so --</p> <p>16 Q. So you're referring to videos</p> <p>17 that contain a picture of the photo?</p> <p>18 A. That is what I am talking about,</p> <p>19 yes.</p> <p>20 Q. All right. Let's go to request</p> <p>21 number 4.</p> <p>22 A. Uh-huh.</p> <p>23 Q. Do you see request number 4?</p> <p>24 A. I do.</p> <p>25 Q. And do you see in response to</p>
<p style="text-align: right;">Page 386</p> <p>1 WILSON</p> <p>2 request number 3? Yes or no.</p> <p>3 A. My answer is we submitted</p> <p>4 documents related to this question to your</p> <p>5 office, and I don't have those documents</p> <p>6 under my control at this moment, no.</p> <p>7 Correct. I don't have those documents,</p> <p>8 but we submitted them to your office.</p> <p>9 Q. So you are saying you did have</p> <p>10 documents responsive to request number 3</p> <p>11 in your possession and control which you</p> <p>12 submitted to -- which your counsel</p> <p>13 submitted to me?</p> <p>14 A. Documents were submitted to your</p> <p>15 office that --</p> <p>16 Q. So if that's the case, why did</p> <p>17 you say in response to request number 3</p> <p>18 that "Plaintiff has not identified any</p> <p>19 documents responsive to this request"?</p> <p>20 A. I'm not sure.</p> <p>21 Q. What documents did you give to</p> <p>22 your counsel to produce in this case that</p> <p>23 were responsive to request number 3?</p> <p>24 A. A photograph of the murals at</p> <p>25 the Graduate Center For Worker Education</p>	<p style="text-align: right;">Page 388</p> <p>1 WILSON</p> <p>2 request number 4 you use the words again</p> <p>3 "Plaintiff has not identified the</p> <p>4 following documents responsive to this</p> <p>5 request" -- I'm sorry. It says "has</p> <p>6 identified." All right. And your --</p> <p>7 I'm sorry. My mistake. Your response to</p> <p>8 request number 4 refers to arbitration</p> <p>9 testimony of Defendant Currah, the</p> <p>10 retaliatory teaching schedules, which were</p> <p>11 assigned and a point of a grievance which</p> <p>12 you filed, correct?</p> <p>13 A. Correct.</p> <p>14 Q. Other than that do you have any</p> <p>15 other documents in your possession or</p> <p>16 control responsive to that request?</p> <p>17 A. No.</p> <p>18 Q. Do you have in your possession</p> <p>19 copies of the arbitration testimony</p> <p>20 through -- in the entire case?</p> <p>21 A. You mean arbitration testimony,</p> <p>22 do I have copies of that?</p> <p>23 Q. Yes.</p> <p>24 A. Yes, I do have copies of that.</p> <p>25 Q. Okay. Now, request number 5 on</p>

22 (Pages 385 - 388)

<p style="text-align: right;">Page 389</p> <p>1 WILSON</p> <p>2 page 8, do you see that, sir?</p> <p>3 A. Yes.</p> <p>4 Q. And do you see in your response</p> <p>5 to request number 5 you used the words</p> <p>6 "Plaintiff has not identified any</p> <p>7 documents responsive to this request"? Do</p> <p>8 you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Does that mean that you don't</p> <p>11 have any documents in your possession or</p> <p>12 control responsive to request number 5?</p> <p>13 A. That's correct.</p> <p>14 Q. Okay. Now, we can keep going</p> <p>15 through every time you used the words</p> <p>16 "Plaintiff has not identified any</p> <p>17 documents responsive to this request",</p> <p>18 which you continue to use many times</p> <p>19 further in this, but again my question was</p> <p>20 every time you use those words do you mean</p> <p>21 that you don't have any documents in your</p> <p>22 possession or control responsive to the</p> <p>23 request?</p> <p>24 MR. JAMES KLEIN: I am going to</p> <p>25 object as to form.</p>	<p style="text-align: right;">Page 391</p> <p>1 WILSON</p> <p>2 being you, don't have in your possession</p> <p>3 or control any documents responsive to</p> <p>4 that request.</p> <p>5 Can you tell me whether those</p> <p>6 phrases, those words are equivalent or not</p> <p>7 or do we have to keep going through every</p> <p>8 time you use those words?</p> <p>9 A. I don't have those documents,</p> <p>10 and so that's my -- that's my testimony.</p> <p>11 Q. And every time you said the</p> <p>12 words "Plaintiff has not identified any</p> <p>13 documents responsive to this request" you</p> <p>14 meant that you didn't have in your</p> <p>15 possession or control any documents</p> <p>16 responsive to this request to which you</p> <p>17 were responding; is that right?</p> <p>18 A. I meant that I haven't</p> <p>19 identified.</p> <p>20 MR. JAMES KLEIN: Excuse me.</p> <p>21 Object as to form.</p> <p>22 Q. Your objection is noted?</p> <p>23 A. I haven't identified.</p> <p>24 Q. What does identified mean? That</p> <p>25 is what I am trying to understand. Does</p>
<p style="text-align: right;">Page 390</p> <p>1 WILSON</p> <p>2 MR. MARK KLEIN: Your objection</p> <p>3 is noted.</p> <p>4 Q. Can you answer?</p> <p>5 A. Yes.</p> <p>6 Q. Yes what?</p> <p>7 A. Yes, I don't have documents that</p> <p>8 are responsive to the request.</p> <p>9 Q. All right. Let me try one last</p> <p>10 time. Dr. Wilson, most parties when they</p> <p>11 answer a document request if they don't</p> <p>12 have any documents responsive to a request</p> <p>13 they say that we don't have any documents</p> <p>14 requested in our possession or control.</p> <p>15 They don't use the words "Plaintiff has</p> <p>16 not identified any documents responsive to</p> <p>17 this request", and I am just trying to</p> <p>18 understand and get on record what you</p> <p>19 meant when you said each time in this</p> <p>20 document that "Plaintiff has not</p> <p>21 identified any documents responsive to</p> <p>22 this request", and I've asked over and</p> <p>23 over again whether when you use those</p> <p>24 words does that mean, is it the same as</p> <p>25 saying I don't have in my possession, I</p>	<p style="text-align: right;">Page 392</p> <p>1 WILSON</p> <p>2 that mean that you don't have in your</p> <p>3 possession or control documents that were</p> <p>4 requested or does it mean something else?</p> <p>5 A. It means that I haven't</p> <p>6 identified the documents.</p> <p>7 Q. So you might have documents in</p> <p>8 your possession or control, but you are</p> <p>9 not providing them, is that it?</p> <p>10 A. I guess I looked, didn't find</p> <p>11 any, but that doesn't mean that I couldn't</p> <p>12 find another document, but I looked. I</p> <p>13 made a good search effort, and so -- that</p> <p>14 is my -- that is my answer.</p> <p>15 Q. All right. I would like to</p> <p>16 direct your attention to page 17. In</p> <p>17 response to request number 13, you refer</p> <p>18 to four videos that you recorded</p> <p>19 documenting your attempts to obtain your</p> <p>20 property from the defendants, correct?</p> <p>21 A. Number 14?</p> <p>22 Q. 13 on page 17.</p> <p>23 A. That is not what it says on my</p> <p>24 page 17.</p> <p>25 Q. I think you are looking at the</p>

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1 WILSON
2 request, not the response to the request.
3 You understand that the request was my
4 request, and the response to the request
5 is your response?
6 A. You mean me to look at the
7 response, is that what you are saying?
8 Q. Yes, that is what I am saying.
9 Q. Your response makes reference to
10 four videos that were recorded, right?
11 A. That's correct.
12 Q. And these were of the videos you
13 testified about yesterday that you made in
14 2016?
15 A. No.
16 Q. When did you make the four
17 videos?
18 A. One -- two of the videos I
19 believe were made in 2015.
20 Q. And where did you -- and did you
21 personally make those videos?
22 A. Personally.
23 Q. And where did you make those
24 videos of?
25 A. That would have been at Brooklyn

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1 WILSON
2 College.
3 Q. Where in Brooklyn College?
4 A. James Hall Africana studies.
5 Q. So did you make these videos --
6 I believe you testified you were there in
7 April 2015; is that right?
8 A. I don't recall.
9 Q. You don't recall when in 2015
10 you made these videos?
11 A. Not exactly.
12 Q. On what device did you make
13 these videos?
14 A. On a cell phone.
15 Q. Your personal cell phone?
16 A. Personal cell phone.
17 Q. Does your personal cell phone
18 reflect when you made those videos?
19 A. I believe the tapes reflect it.
20 Q. Okay. And in your mind, what do
21 these two videos that you made sometime in
22 2015 show?
23 A. It shows that I didn't have
24 access to any of my books or documents,
25 that whatever papers were there were

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1 WILSON
2 unidentifiable or disheveled, trashed, in
3 garbage bags, kept with other people's
4 unknown personal stuff, so that is what it
5 shows.
6 Q. Now, you made two other videos,
7 right?
8 A. Correct.
9 Q. And when did you make those two
10 other videos?
11 A. I believe those were either in
12 2016 or 2017. They are time stamped I
13 think.
14 Q. And you personally made those
15 videos?
16 A. Personally.
17 Q. And where did you make those
18 videos?
19 A. At the Graduate Center For
20 Worker Education.
21 Q. And what do those videos show
22 according to your viewpoint?
23 A. It shows the mural by Labor Arts
24 Society, and it shows one of the areas
25 where my documents were -- in my office

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1 WILSON
2 things were placed and trashed and so
3 forth.
4 MR. MARK KLEIN: Could you read
5 that answer back, please.
6 (Record read.)
7 Q. Could you see what documents
8 were in your office? You are referring to
9 the office that you had previously
10 occupied in the Graduate Center For Worker
11 Education?
12 A. That's correct.
13 Q. And could you see what papers
14 were in there from where you took the
15 videos?
16 A. That was the staging area where
17 they trashed them by witness testimony.
18 Q. I am not sure you answered my
19 question.
20 A. No, I didn't see them.
21 Q. So you don't know what papers
22 were there; is that right?
23 A. No.
24 Q. So you went over to your office
25 or the office you had formerly, and you

<p style="text-align: right;">Page 397</p> <p>1 WILSON</p> <p>2 opened the door and took a video; is that</p> <p>3 right?</p> <p>4 A. No.</p> <p>5 Q. Was the door open?</p> <p>6 A. This was the administrative</p> <p>7 area.</p> <p>8 Q. So this wasn't the office that</p> <p>9 you personally occupied and that you drew</p> <p>10 a depiction of on Exhibit 2, right?</p> <p>11 A. It is the area immediately in</p> <p>12 front of my office door.</p> <p>13 Q. So it was the area outside the</p> <p>14 door to your office that you drew on</p> <p>15 Exhibit 2 and Exhibit 19, correct?</p> <p>16 A. Correct.</p> <p>17 Q. All right. I would like to</p> <p>18 direct your attention to page 20.</p> <p>19 A. And after this I would like to</p> <p>20 break for lunch.</p> <p>21 Q. We have only been going two</p> <p>22 hours. I would like to go a little longer</p> <p>23 before we break. Can we break at quarter</p> <p>24 of 1?</p> <p>25 A. Too long.</p>	<p style="text-align: right;">Page 399</p> <p>1 WILSON</p> <p>2 which plaintiff claims he sustained as a</p> <p>3 result of acts alleged in the complaint."</p> <p>4 And do you see the response on the next</p> <p>5 page?</p> <p>6 A. Yes. Yes, I see it. I haven't</p> <p>7 read it at this sitting.</p> <p>8 Q. All right. If you would read</p> <p>9 the first two paragraphs on page 21 or you</p> <p>10 can read the whole response, whatever you</p> <p>11 want to do.</p> <p>12 A. Yes, I see that.</p> <p>13 Q. Okay. Now yesterday we marked</p> <p>14 as Exhibit 7 Plaintiffs' Supplemental</p> <p>15 Responses to Certain of Defendants First</p> <p>16 Set of Interrogatories, correct?</p> <p>17 A. Right.</p> <p>18 Q. And you looked through that</p> <p>19 yesterday briefly, correct?</p> <p>20 A. Correct.</p> <p>21 Q. And annexed as Exhibits 1</p> <p>22 through 4 to Exhibit 7 are your expert</p> <p>23 witness reports, correct?</p> <p>24 A. Well, this -- you are looking at</p> <p>25 Exhibit 7?</p>
<p style="text-align: right;">Page 398</p> <p>1 WILSON</p> <p>2 Q. Why is that?</p> <p>3 A. I am tired, and this is</p> <p>4 exhausting, and I need to stretch my back</p> <p>5 and so --</p> <p>6 Q. So you want to break for lunch</p> <p>7 now and come back when?</p> <p>8 A. We can finish this one question,</p> <p>9 and then we can come back in 45 minutes to</p> <p>10 an hour.</p> <p>11 Q. I've got more than one question</p> <p>12 about this page.</p> <p>13 A. So ask a couple. Go ahead.</p> <p>14 Q. I'll agree to take a 45-minute</p> <p>15 lunch break, but we have a lot to cover,</p> <p>16 and we have already wasted some time with</p> <p>17 having to call the judge today. So if you</p> <p>18 are tired and you want to break, we can</p> <p>19 stop the deposition and come back for</p> <p>20 another day. Would you like to do that?</p> <p>21 MR. JAMES KLEIN: No, we are</p> <p>22 not going to do that.</p> <p>23 A. I didn't ask for that.</p> <p>24 Q. Request number 16 says "All</p> <p>25 documents relating to economic injuries</p>	<p style="text-align: right;">Page 400</p> <p>1 WILSON</p> <p>2 Q. Yes.</p> <p>3 A. And you're asking me what is</p> <p>4 annexed to it?</p> <p>5 Q. Do you see these exhibit tabs?</p> <p>6 It says Exhibit 1, Exhibit 2, Exhibit 3,</p> <p>7 Exhibit 4, right?</p> <p>8 A. I see it.</p> <p>9 Q. I am asking you with regard to</p> <p>10 Exhibits 1 through 4, are those your</p> <p>11 expert reports?</p> <p>12 A. Yes, they are.</p> <p>13 Q. Have you seen those before?</p> <p>14 A. Yes, I have.</p> <p>15 Q. Okay. And Exhibit 5 was the</p> <p>16 production -- I'm sorry. Is a document</p> <p>17 titled "Dr. Joseph Wilson professional</p> <p>18 production and seized materials" that I</p> <p>19 asked you about yesterday, correct?</p> <p>20 A. Correct.</p> <p>21 Q. All right. Other than these</p> <p>22 five documents, 1 through 5 annexed to</p> <p>23 Wilson Exhibit 7, do you have any other</p> <p>24 documents responsive to the request for</p> <p>25 any documents relating to any economic</p>

25 (Pages 397 - 400)

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1 WILSON
2 injuries which plaintiff claims he
3 sustained as a result of the acts alleged
4 in the complaint?
5 A. Yes, I do.
6 Q. What do you have?
7 A. A document that you sent to my
8 attorney a couple of days ago that had a
9 bunch of file names on it that I haven't
10 thoroughly reviewed yet but that may add
11 to these items and claims.
12 Q. What document are you talking
13 about?
14 A. I don't know the name or title,
15 but it was your document, and you sent it
16 a couple of days ago, a few days ago, and
17 it had file names on it from one of my
18 computers.
19 Q. Okay. So these are file names
20 of materials that were on the hard drive
21 to your computer, right?
22 A. File names of materials on a
23 hard drive of one of my computers.
24 Q. Okay. And did you ever ask for
25 access to your hard drive?

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1 WILSON
2 A. Yes, I did. I did. I asked
3 for access to my data, to my research.
4 Q. Did you know whether the hard
5 drive is still in existence?
6 A. I don't know.
7 Q. Well, it is, and earlier in this
8 case Judge Scanlan said to both parties if
9 Dr. Wilson would like to get access to his
10 hard drive he can do that. Do you know
11 whether your counsel have asked for that?
12 A. I don't know.
13 Q. Would you like to get access to
14 your hard drive?
15 MR. JAMES KLEIN: We would like
16 to have production of the hard drive.
17 A. I would like to --
18 Q. We are not going to produce it.
19 You can get access to it.
20 A. I would like to get access to
21 the hard drive.
22 Q. Okay. We can arrange that.
23 So other than the document that
24 -- the index to the hard drive that I
25 produced a few days ago and --

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1 WILSON
2 MR. JAMES KLEIN: I just want
3 to clarify that I am asking for
4 production. If you say you are not going
5 to produce it, that is up to you, but I am
6 asking for production.
7 MR. JAMES KLEIN: We are not
8 going to give you the original hard drive.
9 MR. JAMES KLEIN: I am asking
10 for a copy of all the files on the hard
11 drive.
12 MR. MARK KLEIN: This is not a
13 time for your document requests or your
14 discovery requests. It is not an
15 appropriate time.
16 MR. JAMES KLEIN: I am just
17 putting that on the record.
18 MR. MARK KLEIN: Yes. And you
19 interrupted a question that I was asking
20 Dr. Wilson.
21 Q. So other than the index of the
22 hard drive that defendants produced in
23 discovery in this case and Exhibits 1
24 through 5 to Exhibit 7, are you aware of
25 any additional documents that are

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1 WILSON
2 responsive to request number 16?
3 A. No.
4 Q. The same questions for request
5 number 17 on page 22.
6 A. On the different document?
7 Q. Of Exhibit 20.
8 A. Request 17 on page 22.
9 Q. On page 22. The request is on
10 the previous page. "All documents relied
11 upon or considered in calculating the
12 nature and amount of any economic injuries
13 the plaintiff claims he sustained as a
14 result of the acts alleged in the
15 complaint." Do you see that at the
16 bottom of page 21?
17 A. You mean the bottom of page 22?
18 Q. No, I said the bottom of page
19 21.
20 A. Okay. Yes.
21 Q. And at the top of page 22, it is
22 the same statement we saw in response to
23 request number 16 where you said that
24 plaintiff anticipates he will begin
25 producing additional materials responsive

<p style="text-align: right;">Page 405</p> <p>1 WILSON</p> <p>2 to this request within the next 60 to a</p> <p>3 hundred days?</p> <p>4 A. Yes, I see that.</p> <p>5 Q. My question to you is other than</p> <p>6 Exhibits 1 through 5 to Exhibit 7, are you</p> <p>7 aware of any other documents responsive to</p> <p>8 request number 17?</p> <p>9 A. At this moment, no.</p> <p>10 Q. All right. Now, request number</p> <p>11 18 asks for all documents relating to any</p> <p>12 noneconomic injuries which plaintiff</p> <p>13 claims he sustained as a result of the act</p> <p>14 alleged in the complaint.</p> <p>15 Do you see that at the bottom of</p> <p>16 page 22?</p> <p>17 A. I see that.</p> <p>18 Q. You are not making any</p> <p>19 noneconomic claims in this case, correct?</p> <p>20 A. Is that -- I am not sure.</p> <p>21 Q. Well, you were asked for</p> <p>22 identification of any psychologists,</p> <p>23 social workers, psychiatrists or any other</p> <p>24 doctors that you saw as a result of the</p> <p>25 acts alleged in the complaint, correct?</p>	<p style="text-align: right;">Page 407</p> <p>1 WILSON</p> <p>2 emotional distress and damage that this</p> <p>3 has inflicted upon me, so that is -- that</p> <p>4 is my response to your question.</p> <p>5 Q. And sitting here --</p> <p>6 MR. JAMES KLEIN: And</p> <p>7 further --</p> <p>8 MR. MARK KLEIN: No. No. No</p> <p>9 speaking objections. You can object as</p> <p>10 to form. You can't make speeches.</p> <p>11 MR. JAMES KLEIN: I wasn't</p> <p>12 going to make a speech.</p> <p>13 MR. MARK KLEIN: Don't say</p> <p>14 anything other than object to form, Mr.</p> <p>15 Klein. Judge Scanlan directed that that</p> <p>16 is the way --</p> <p>17 MR. JAMES KLEIN: That is not</p> <p>18 the only objection that I can make, and I</p> <p>19 am entitled to make another objection. I</p> <p>20 can object to any issue that you ask him</p> <p>21 about claims in the case. I am objecting</p> <p>22 that it calls for a legal conclusion.</p> <p>23 MR. MARK KLEIN: Your objection</p> <p>24 is noted.</p> <p>25 Q. With regard to anguish and other</p>
<p style="text-align: right;">Page 406</p> <p>1 WILSON</p> <p>2 A. Correct.</p> <p>3 Q. And you are not making any</p> <p>4 claims with regard to any social worker,</p> <p>5 psychiatrist, psychologist or doctor you</p> <p>6 saw, correct?</p> <p>7 A. Correct.</p> <p>8 Q. And you are not making any claim</p> <p>9 for emotional injury damages in this case,</p> <p>10 correct?</p> <p>11 A. Correct.</p> <p>12 MR. JAMES KLEIN: Well, that</p> <p>13 calls for a legal conclusion.</p> <p>14 MR. MARK KLEIN: All right.</p> <p>15 You made the objection after your client</p> <p>16 answered. That's fine.</p> <p>17 Q. Page 25.</p> <p>18 A. Let me amend my -- my statement.</p> <p>19 You may appreciate that having 40 years of</p> <p>20 your work, your research, your books, your</p> <p>21 documents, and your letters trashed and</p> <p>22 your livelihood smashed as a result of</p> <p>23 people's recklessness, that that is a</p> <p>24 traumatic situation, and I don't preclude</p> <p>25 the consideration of the anguish and</p>	<p style="text-align: right;">Page 408</p> <p>1 WILSON</p> <p>2 things you just testified about, do you</p> <p>3 have any documents or any other evidence</p> <p>4 relating to any claimed damage in that</p> <p>5 connection?</p> <p>6 A. With regards to anguish and</p> <p>7 trauma I would have to think about that.</p> <p>8 Q. Sitting here today, can you</p> <p>9 think of any?</p> <p>10 A. It is a complicated question, so</p> <p>11 let me think about that. Anguish and</p> <p>12 trauma.</p> <p>13 Q. Well, rather than taking any</p> <p>14 more time on this if you come up with any</p> <p>15 documents, you'll provide them to your</p> <p>16 counsel.</p> <p>17 MR. MAKR KLEIN: And, Mr. Klein,</p> <p>18 you'll produce them in this case; is that</p> <p>19 right?</p> <p>20 MR. JAMES KLEIN: Any documents</p> <p>21 that are provided to me I will produce.</p> <p>22 Q. All right. Request number 20</p> <p>23 on page 25.</p> <p>24 A. Request 20 on 25, page 25.</p> <p>25 Q. That requests documents relating</p>

27 (Pages 405 - 408)

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1 WILSON
2 to any attempts to mitigate the economic
3 and/or noneconomic injuries that plaintiff
4 claims he sustained as a result of the
5 acts alleged in the complaint. Do you
6 see that, sir?
7 A. I see that.
8 Q. Do you have any documents in
9 your possession responsive to that
10 request?
11 A. If I do, I'll provide them to my
12 counsel, and he will provide them to you.
13 Q. Sitting here today are you aware
14 of any such documents?
15 A. Well, I can think of one
16 document recently.
17 Q. What is that?
18 A. That was a -- an attempt at
19 employment at Cornell University recently,
20 correspondence.
21 Q. Have you produced that attempted
22 employment at Cornell?
23 A. That happened after this was
24 completed.
25 Q. By the way, who did you -- what

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1 WILSON
2 position did you apply for at Cornell
3 University?
4 A. A teaching position.
5 Q. What teaching position?
6 A. That would have been an adjunct
7 position in the School of Industrial
8 Relations.
9 Q. Did you fill out an application
10 in connection with that application --
11 MR. MARK KLEIN: Withdrawn.
12 Q. Did you fill out a written
13 application in connection with that
14 attempt at employment?
15 A. No, I had verbal communications
16 with the director of the program.
17 Q. Who did you have verbal
18 communications with?
19 A. His name escapes me at the
20 moment.
21 Q. Did you submit anything in
22 writing?
23 A. I submitted my resume I think.
24 Q. Anything else?
25 A. And I gave him courses that I

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1 WILSON
2 would like to teach.
3 Q. You put that in writing?
4 A. In writing.
5 Q. You put that in writing in a
6 cover letter to the CV?
7 A. Not in -- well, I don't know
8 formally a cover letter, but it
9 accompanied my CV.
10 Q. So you sent your resume or your
11 CV. Are you using the term
12 interchangeably?
13 A. Yes.
14 Q. And some sort of communication
15 that set out the kinds of courses you
16 wanted to teach?
17 A. Correct.
18 Q. Did you get a written response?
19 A. No.
20 Q. Did you get any kind of
21 response?
22 A. No.
23 Q. And what position did the person
24 you communicated with about this job have,
25 since you can't remember his name?

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1 WILSON
2 A. This would have been an adjunct
3 teaching -- adjunct teaching position in
4 the school of industrial and labor
5 relations.
6 Q. I asked you the title of the
7 person you communicated to.
8 A. I believe he was the director.
9 Q. Does the letter that you sent
10 have a person's name that you spoke with?
11 A. Yes.
12 Q. Either when speaking to the
13 director that you spoke with or in the
14 written materials that you provided, did
15 you tell him about the arbitration that
16 resulted in Exhibit 18?
17 A. Clarify the question.
18 Q. You don't understand the
19 question?
20 A. No.
21 Q. In your verbal communications
22 with the director or in the written
23 materials that you provided -- that you
24 provided him, did you tell that director
25 about the arbitration that resulted in the

<p style="text-align: right;">Page 413</p> <p>1 WILSON</p> <p>2 opinion and award that has been marked as</p> <p>3 Exhibit 18?</p> <p>4 A. No, but he was aware of the</p> <p>5 general events.</p> <p>6 Q. How do you know he was aware of</p> <p>7 the general events?</p> <p>8 A. He mentioned it to me.</p> <p>9 Q. What did he tell you about what</p> <p>10 he was aware of?</p> <p>11 A. That he was aware of, you know,</p> <p>12 the actions that the university had taken</p> <p>13 against me. He was aware that the</p> <p>14 program had been pretty much destroyed,</p> <p>15 and he said he would see what he could do.</p> <p>16 Q. What does --</p> <p>17 A. In terms of employment.</p> <p>18 Q. Was he aware that CUNY had</p> <p>19 terminated you?</p> <p>20 A. I am not precisely aware of what</p> <p>21 he was aware of.</p> <p>22 Q. Did you tell him that you had</p> <p>23 been terminated?</p> <p>24 A. I don't recall.</p> <p>25 Q. Did you tell him that your</p>	<p style="text-align: right;">Page 415</p> <p>1 WILSON</p> <p>2 Q. Do you have a copy of that?</p> <p>3 A. No, I don't.</p> <p>4 Q. Why?</p> <p>5 A. My attorney Collin Moore had all</p> <p>6 of my unemployment documents.</p> <p>7 Q. Did you request these documents</p> <p>8 from your attorney?</p> <p>9 A. I could not -- he was unable to</p> <p>10 provide my documents. I have asked him</p> <p>11 for documents.</p> <p>12 Q. So you've asked him for your</p> <p>13 documents, but he hasn't given them to</p> <p>14 you?</p> <p>15 A. That's correct.</p> <p>16 Q. Did he tell you why he wouldn't</p> <p>17 give them to you?</p> <p>18 A. I think he has been ill. He</p> <p>19 was hospitalized for a period of time,</p> <p>20 so --</p> <p>21 Q. Did you ask anybody else in his</p> <p>22 office for your papers?</p> <p>23 A. I don't think he has an office.</p> <p>24 Q. So you applied for unemployment</p> <p>25 insurance; is that right?</p>
<p style="text-align: right;">Page 414</p> <p>1 WILSON</p> <p>2 termination by CUNY had been upheld by a</p> <p>3 neutral arbitrator in the arbitration?</p> <p>4 A. I don't recall.</p> <p>5 Q. All right. Request number 23 on</p> <p>6 page 29, please.</p> <p>7 A. Page 29.</p> <p>8 Q. That asks for any applications</p> <p>9 for and/or receipt of any insurance or</p> <p>10 other benefits from January 1, 2010 to the</p> <p>11 present including without limitation</p> <p>12 unemployment insurance, workers comp</p> <p>13 benefits, disability insurance or any</p> <p>14 other benefit or insurance compensating</p> <p>15 for replacing lost income." Do you see</p> <p>16 that?</p> <p>17 A. I see that.</p> <p>18 Q. In response you use that phrase</p> <p>19 again "Plaintiff has not identified any</p> <p>20 documents responsive to this request." Do</p> <p>21 you see that?</p> <p>22 A. I see that.</p> <p>23 Q. Did you apply for unemployment</p> <p>24 insurance?</p> <p>25 A. I did.</p>	<p style="text-align: right;">Page 416</p> <p>1 WILSON</p> <p>2 A. Unemployment compensation,</p> <p>3 correct.</p> <p>4 Q. Did you get it?</p> <p>5 A. No.</p> <p>6 Q. Do you know why?</p> <p>7 A. Yes, because CUNY imposed it.</p> <p>8 Q. Did you apply for workers</p> <p>9 compensation benefits?</p> <p>10 A. No.</p> <p>11 Q. Did you apply for disability</p> <p>12 insurance?</p> <p>13 A. No.</p> <p>14 Q. Did you apply for anything else?</p> <p>15 A. What do you mean by anything</p> <p>16 else?</p> <p>17 Q. Any other benefits or insurance</p> <p>18 compensating or replacing lost income.</p> <p>19 A. No.</p> <p>20 Q. Are you presently receiving</p> <p>21 Medicare or Medicaid benefits?</p> <p>22 A. Yes.</p> <p>23 Q. What? What benefits are you</p> <p>24 receiving?</p> <p>25 A. I believe that would be</p>

<p style="text-align: right;">Page 417</p> <p>1 WILSON</p> <p>2 Medicare.</p> <p>3 Q. Since when have you been</p> <p>4 receiving Medicare benefits?</p> <p>5 A. Since the legal age of</p> <p>6 eligibility, which I believe was 65.</p> <p>7 Q. So since you turned 65 you have</p> <p>8 been get being Medicare benefits?</p> <p>9 A. That is my understanding.</p> <p>10 Q. Well, have you been receiving</p> <p>11 Medicare benefits?</p> <p>12 A. Yes.</p> <p>13 Q. And when did you turn 65?</p> <p>14 A. Approximately three years ago.</p> <p>15 Q. When was your birthday?</p> <p>16 A. December 2, 1951.</p> <p>17 MR. JAMES KLEIN: I think we</p> <p>18 are going to break for lunch now.</p> <p>19 MR. MARK KLEIN: So we will</p> <p>20 come back at 1:05.</p> <p>21 MR. JAMES KLEIN: What time is</p> <p>22 it now?</p> <p>23 MR. MARK KLEIN: 12:21 I think.</p> <p>24 A. Is that 45 minutes?</p> <p>25 Q. Yes, that is 45 minutes.</p>	<p style="text-align: right;">Page 419</p> <p>1 WILSON</p> <p>2 AFTERNOON SESSION</p> <p>3 1:05 p.m.</p> <p>4 DR. JOSEPH WILSON,</p> <p>5 having been previously duly sworn,</p> <p>6 testified further as follows:</p> <p>7 CONTINUED EXAMINATION</p> <p>8 BY MR. KLEIN:</p> <p>9 Q. Dr. Wilson, is there any</p> <p>10 testimony you gave this morning that you</p> <p>11 would like to change or modify?</p> <p>12 A. Yes, there is.</p> <p>13 Q. What is that?</p> <p>14 A. The testimony that I gave this</p> <p>15 morning that would pertain to my responses</p> <p>16 found on my preliminary statement and --</p> <p>17 Q. What preliminary statement are</p> <p>18 you talking about?</p> <p>19 A. Where it says on page 1 --</p> <p>20 Q. You are looking at Exhibit 20;</p> <p>21 is that right?</p> <p>22 A. Yes.</p> <p>23 Q. That is plaintiff's responses</p> <p>24 and objections to defendants' first set of</p> <p>25 requests for production of documents?</p>
<p style="text-align: right;">Page 418</p> <p>1 WILSON</p> <p>2 A. 1:05?</p> <p>3 Q. 1:05.</p> <p>4 (Luncheon recess: 12:21 p.m.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 420</p> <p>1 WILSON</p> <p>2 A. Yes. Any time you asked me was</p> <p>3 I aware or can I identify, you know,</p> <p>4 documents and so on and so forth, the</p> <p>5 answer is that there may have been</p> <p>6 documents in my offices. In fact, I had</p> <p>7 hundreds, thousands of documents, and</p> <p>8 those documents were all seized from me.</p> <p>9 So I didn't control that information, and</p> <p>10 I don't know what evidence was in those</p> <p>11 documents that could confirm the roles</p> <p>12 that the three defendants had in this</p> <p>13 case.</p> <p>14 Q. Was the statement you just gave</p> <p>15 something you discussed with your counsel</p> <p>16 over lunch?</p> <p>17 MR. JAMES KLEIN: There is an</p> <p>18 objection. It's privileged.</p> <p>19 MR. MARK KLEIN: It is not.</p> <p>20 When you discuss your client's testimony</p> <p>21 with him, that is not privileged.</p> <p>22 MR. JAMES KLEIN: I believe you</p> <p>23 can ask if we spoke, but you can't ask him</p> <p>24 the substance of the --</p> <p>25 MR. MARK KLEIN: I just asked if</p>

30 (Pages 417 - 420)

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1 WILSON
2 what you just said was something you
3 discussed with your counsel over lunch.
4 MR. JAMES KLEIN: No, I think
5 you can say whether or not he spoke with
6 me over lunch. That is the substance of
7 it.
8 MR. MARK KLEIN: Are you
9 directing him not to answer?
10 MR. JAMES KLEIN: Yes.
11 MR. MARK KLEIN: I may bring it
12 it up with Magistrate Scanlan.
13 A. If I may --
14 Q. What I asked you, Dr. Wilson,
15 repeatedly this morning was whether you had
16 in your possession or control documents
17 responsive to various requests I directed
18 your attention to.
19 A. Yes.
20 Q. Now, you are telling me you
21 don't have possession and control of the
22 materials that you say were --
23 A. No, that's not --
24 Q. -- were taken from you, and that
25 is not responsive to what I asked you.

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1 WILSON
2 So you're telling me something I didn't
3 ask you to tell me.
4 MR. JAMES KLEIN: That is not
5 entirely true. You asked him --
6 MR. MARK KLEIN: If you have an
7 objection to form, state it on the record.
8 Q. My question --
9 MR. JAMES KLEIN: He you said
10 was he aware.
11 MR. MARK KLEIN: No, I asked
12 him, repeatedly asked him when he used the
13 words "Plaintiff has not identified any
14 documents responsive to this request"
15 whether that meant the same as he did not
16 have in his possession or control
17 documents responsive to that request.
18 That's what I asked over and over again.
19 Q. And I think the statement you
20 just made doesn't change that, right?
21 A. My statement is I may have had
22 those documents. I had many, many
23 documents that may have been evidence of
24 what these people did, but all of my
25 documents were seized. So at the moment I

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1 WILSON
2 don't have them.
3 Q. You've already said that. You
4 don't need to repeat it.
5 A. Okay.
6 Q. I would like to direct your
7 attention to page 31 of Exhibit 20, sir.
8 A. Well, there is two other
9 amendments to a previous answer.
10 Q. Okay. You want to make more
11 amendments?
12 A. Yes.
13 Q. Go ahead.
14 A. Yesterday you asked me about
15 conversations that I have had with people.
16 Q. Yes.
17 A. And we went down a list, and we
18 would have to double-check the record, but
19 I am fairly sure you asked me if I had a
20 conversation or any conversations with
21 Ms. Gaskins.
22 Q. Erica Gaskins?
23 A. Erica Gaskins, yes.
24 Q. So subsequent to yesterday --
25 A. And I remember speaking to Erica

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1 WILSON
2 in January, but upon further reflection I
3 spoke to Erica, and this would have been a
4 couple of weeks ago, and she told me that
5 she received a call from my attorney, and
6 I asked her what was the name, and so she
7 said a Mr. Klein, and I said my attorney
8 didn't call you.
9 Q. I contacted Ms. Gaskins.
10 A. Yes.
11 Q. And she didn't talk to me.
12 A. Well, for the record,
13 Ms. Gaskins told me that she did speak to
14 you. She told me that you identified
15 yourself as my attorney, and she -- and
16 that you asked her or she said that she
17 would call you back, and she --
18 Q. I didn't identify myself as your
19 attorney. I said I was an assistant
20 attorney general representing defendants
21 in this case, and she said she would call
22 me back, and she never did.
23 A. So you did talk to her.
24 Q. I told you I called her and
25 spoke to her.

<p style="text-align: right;">Page 425</p> <p>1 WILSON</p> <p>2 A. No, you said you didn't talk to</p> <p>3 her.</p> <p>4 Q. She wouldn't speak to me.</p> <p>5 MR. JAMES KLEIN: Don't get</p> <p>6 into a conversation. Just --</p> <p>7 Q. Is there anything else you want</p> <p>8 to change or modify, sir?</p> <p>9 A. No, I just wanted that for the</p> <p>10 record.</p> <p>11 Q. You think there is something</p> <p>12 wrong with contacting people that you have</p> <p>13 identified as witnesses having knowledge?</p> <p>14 MR. JAMES KLEIN: Don't --</p> <p>15 A. Just stating facts.</p> <p>16 Q. Do you think there is something</p> <p>17 wrong --</p> <p>18 MR. JAMES KLEIN: That calls for</p> <p>19 a legal conclusion.</p> <p>20 MR. MARK KLEIN: I am not asking</p> <p>21 for a legal conclusion.</p> <p>22 Q. Do you think there is something</p> <p>23 wrong with my contacting witnesses that</p> <p>24 you represented as having personal</p> <p>25 knowledge?</p>	<p style="text-align: right;">Page 427</p> <p>1 WILSON</p> <p>2 State Attorney General's Office?</p> <p>3 A. Yes.</p> <p>4 Q. And to your knowledge, he</p> <p>5 litigated for 30, 40 years?</p> <p>6 A. I don't know how long he</p> <p>7 litigated.</p> <p>8 Q. And you accused me of tricking</p> <p>9 this long-time, now retired attorney,</p> <p>10 former assistant attorney general; is that</p> <p>11 right?</p> <p>12 MR. JAMES KLEIN: That</p> <p>13 misrepresents --</p> <p>14 A. That is wrong. That is wrong.</p> <p>15 I repeated what he told me. That you</p> <p>16 tricked him.</p> <p>17 Q. Okay. Directing your attention</p> <p>18 to page 31 of Exhibit 20, sir.</p> <p>19 A. Page 31.</p> <p>20 Q. Yes.</p> <p>21 A. Of this exhibit.</p> <p>22 Q. Right.</p> <p>23 A. Is this 20?</p> <p>24 Q. Yes, that is 20.</p> <p>25 A. Okay.</p>
<p style="text-align: right;">Page 426</p> <p>1 WILSON</p> <p>2 A. There is something wrong with</p> <p>3 you misrepresenting yourself.</p> <p>4 Q. I didn't misrepresent myself.</p> <p>5 I identified myself as an assistant</p> <p>6 attorney general for New York State.</p> <p>7 A. That is not what Ms. Gaskins</p> <p>8 told me.</p> <p>9 Q. Well, she got it wrong just as</p> <p>10 you seem to repeatedly.</p> <p>11 MR. JAMES KLEIN: That is</p> <p>12 harassment.</p> <p>13 Q. Is there any other changes you</p> <p>14 want to make?</p> <p>15 A. Note that harassment.</p> <p>16 Q. Is there any other changes you</p> <p>17 want to make?</p> <p>18 A. There will be, but not at this</p> <p>19 moment.</p> <p>20 Q. You testified regarding your</p> <p>21 conversation with Dominic Tumaniro</p> <p>22 yesterday, right?</p> <p>23 A. Mr. Tumaniro. I did.</p> <p>24 Q. Mr. Tumaniro is a former</p> <p>25 assistant attorney general at the New York</p>	<p style="text-align: right;">Page 428</p> <p>1 WILSON</p> <p>2 Q. Page 31. Are you on page 31?</p> <p>3 A. Yes, I am now. Wait a minute.</p> <p>4 THE WITNESS: This is yours.</p> <p>5 MR. JAMES KLEIN: It is yours.</p> <p>6 I just didn't bring mine back.</p> <p>7 Q. Request number 25 is requesting</p> <p>8 tax returns, W-2 forms, and 1099 forms,</p> <p>9 correct? That is what it says?</p> <p>10 A. Correct. That is correct.</p> <p>11 Q. For the years 2010 through the</p> <p>12 day of trial in this action, right?</p> <p>13 A. That's correct.</p> <p>14 Q. And in the response it says</p> <p>15 "Plaintiff has identified all of the</p> <p>16 documents potentially responsive to this</p> <p>17 request. However, he is not currently in</p> <p>18 personal possession or control of any of</p> <p>19 the potentially responsive documents." Do</p> <p>20 you see that there? Sir, do you see that?</p> <p>21 A. Yes, I am looking at it now.</p> <p>22 Yes, I see that.</p> <p>23 Q. What did you mean by that?</p> <p>24 A. That meant that I was not in</p> <p>25 possession or control of any of those</p>

32 (Pages 425 - 428)

<p style="text-align: right;">Page 429</p> <p>1 WILSON</p> <p>2 potentially responsive documents.</p> <p>3 Q. Who was in possession or control</p> <p>4 of your tax returns, W-2 forms, and 1099</p> <p>5 forms from the years 2010 through the</p> <p>6 present?</p> <p>7 A. My accountant.</p> <p>8 Q. Did you ask your accountant for</p> <p>9 those documents?</p> <p>10 A. I did, and he provided a few but</p> <p>11 not all.</p> <p>12 Q. Do you know why he didn't</p> <p>13 provide all of them?</p> <p>14 A. No.</p> <p>15 Q. Have you provided to your</p> <p>16 counsel for production to defendants in</p> <p>17 this case those tax returns?</p> <p>18 A. No.</p> <p>19 Q. Why not?</p> <p>20 A. Just with the work and preparing</p> <p>21 for this, so it's -- it will happen.</p> <p>22 Q. And did you request your</p> <p>23 accountant to provide the other tax</p> <p>24 returns that he hasn't already provided</p> <p>25 you?</p>	<p style="text-align: right;">Page 431</p> <p>1 WILSON</p> <p>2 understand what you mean by electronic</p> <p>3 e-mails. Are you saying you provided</p> <p>4 copies of e-mails or is electronic e-mails</p> <p>5 something different from e-mails?</p> <p>6 A. Well, your question was</p> <p>7 electronic, so the answer is electronic</p> <p>8 e-mails. Yes. Plaintiff has attached</p> <p>9 electronic e-mails.</p> <p>10 Q. Okay. My question is: Is there</p> <p>11 anything different between your use of the</p> <p>12 words electronic e-mails and e-mails?</p> <p>13 A. I think they are substantially</p> <p>14 the same.</p> <p>15 Q. Are they substantially the same</p> <p>16 or are they the same? Substantially the</p> <p>17 same or the same, which is it?</p> <p>18 A. Well, the -- my attorney</p> <p>19 provided it is my understanding videos</p> <p>20 which were electronic.</p> <p>21 Q. Are videos e-mails, sir?</p> <p>22 A. Well, I was focusing on</p> <p>23 electronic. That was your question.</p> <p>24 Q. My question was what are</p> <p>25 electronic e-mails? You understand the</p>
<p style="text-align: right;">Page 430</p> <p>1 WILSON</p> <p>2 A. I am not sure.</p> <p>3 Q. Will you request from him the</p> <p>4 rest of the tax returns in his possession?</p> <p>5 A. Yes, but there is a question</p> <p>6 that these are not just my personal tax</p> <p>7 returns. There are other parties involved</p> <p>8 who aren't subject to this, and so there</p> <p>9 is privacy issues.</p> <p>10 Q. Other parties being your wife?</p> <p>11 A. Yes. And my son, so forth.</p> <p>12 So --</p> <p>13 Q. Your son --</p> <p>14 A. Strike that. I take that back.</p> <p>15 My wife is on my tax returns.</p> <p>16 MR. MARK KLEIN: Okay. I call</p> <p>17 for production of the tax returns</p> <p>18 requested in request number 25.</p> <p>19 Q. Now, I direct your attention to</p> <p>20 page 35 of this exhibit, sir.</p> <p>21 A. Uh-huh.</p> <p>22 Q. In the response to request</p> <p>23 number 30 it states "Plaintiff has</p> <p>24 attached electronic e-mails in response to</p> <p>25 this document request." I simply want to</p>	<p style="text-align: right;">Page 432</p> <p>1 WILSON</p> <p>2 word e-mails the E refers to electronic,</p> <p>3 right? So there is redundancy. I am</p> <p>4 trying to clarify are electronic e-mails</p> <p>5 different or the same as e-mails?</p> <p>6 A. I think they are the same as</p> <p>7 e-mails.</p> <p>8 Q. Thank you.</p> <p>9 Page 36, request number 31 asks</p> <p>10 for all documents relating to the</p> <p>11 statement referred to in paragraph 62 of</p> <p>12 the complaint that Cheng allegedly made on</p> <p>13 March 12, 2014 that Wilson was engaged in</p> <p>14 criminal activity." Do you see that?</p> <p>15 A. I see that.</p> <p>16 Q. On the next page you say</p> <p>17 "Plaintiff states that following a</p> <p>18 reasonable search, the plaintiff has not</p> <p>19 identified any documents responsive to</p> <p>20 this request." Do you see that?</p> <p>21 A. I see that.</p> <p>22 Q. Okay. My question is do you</p> <p>23 have in your possession or control any</p> <p>24 documents responsive to exhibit -- to</p> <p>25 request number 31?</p>

<p style="text-align: right;">Page 433</p> <p>1 WILSON</p> <p>2 A. My documents that may have been</p> <p>3 responsive were seized by the plaintiffs.</p> <p>4 Q. So you don't have them in your</p> <p>5 possession or control, right? Yes or no.</p> <p>6 A. They were seized by the</p> <p>7 defendants.</p> <p>8 Q. Are they in your possession or</p> <p>9 control? Yes or no.</p> <p>10 A. My answer is they were seized by</p> <p>11 your defendants. That's my answer.</p> <p>12 Q. So you can't answer a simple</p> <p>13 question. Is that what you are saying,</p> <p>14 Dr. Wilson?</p> <p>15 A. I am simply telling you that all</p> <p>16 documents are seized by defendants, so</p> <p>17 they may be in your defendants' control.</p> <p>18 Q. My question is: Do you have in</p> <p>19 your possession -- you understand the</p> <p>20 difference between mine and yours, right?</p> <p>21 They are two different words, right? I am</p> <p>22 going to break this down as simple as I</p> <p>23 can, so I can try to get a straight</p> <p>24 answer.</p> <p>25 Do you have in your possession</p>	<p style="text-align: right;">Page 435</p> <p>1 WILSON</p> <p>2 see? The answer is I can't answer that</p> <p>3 question at this moment.</p> <p>4 Q. You know, you're</p> <p>5 obstreperousness is going to show up on</p> <p>6 the transcript, but you will have to live</p> <p>7 with that, Dr. Wilson.</p> <p>8 Now, with respect to request</p> <p>9 number 32, that asks for all documents</p> <p>10 relating to the statements that Cheng</p> <p>11 allegedly "repeated" to the Labor Arts</p> <p>12 Society as alleged in paragraph 62 of the</p> <p>13 complaint, and again and your in your</p> <p>14 response you say "Following a reasonable</p> <p>15 search, the plaintiff has not identified</p> <p>16 any documents responsive to this request."</p> <p>17 My question to you, sir, is what</p> <p>18 does that mean? Does that mean that you</p> <p>19 do not have in your possession and control</p> <p>20 any documents responsive to that request?</p> <p>21 A. Well, this request may seek</p> <p>22 documents that have attorney-client</p> <p>23 privilege.</p> <p>24 MR. JAMES KLEIN: That is not</p> <p>25 the question.</p>
<p style="text-align: right;">Page 434</p> <p>1 WILSON</p> <p>2 and control any documents responsive</p> <p>3 to request 31? Yes or no.</p> <p>4 A. I am not sure.</p> <p>5 Q. You have searched for them,</p> <p>6 right?</p> <p>7 A. Yes, I have searched.</p> <p>8 Q. And you haven't found any,</p> <p>9 right?</p> <p>10 A. They were seized, and they were</p> <p>11 under the control of your defendants,</p> <p>12 so --</p> <p>13 Q. Can you identify any documents</p> <p>14 that that might be, and I emphasize might</p> <p>15 be in defendants' possession or control</p> <p>16 responsive to request number 31?</p> <p>17 A. That they may have seized? I</p> <p>18 don't understand the question.</p> <p>19 Q. Can you identify any documents</p> <p>20 that you do not have in your possession or</p> <p>21 control that might be responsive to</p> <p>22 request number 31?</p> <p>23 A. Well, let's see out of the</p> <p>24 thousands of documents that they seized</p> <p>25 could I identify documents that I can't</p>	<p style="text-align: right;">Page 436</p> <p>1 WILSON</p> <p>2 A. That is not the question. I am</p> <p>3 sorry. Repeat the question again. Go</p> <p>4 ahead. Sorry.</p> <p>5 Q. Do you have in your possession</p> <p>6 and control any documents responsive to</p> <p>7 request number 32? Yes or no.</p> <p>8 A. Was this about Terrence Cheng?</p> <p>9 Q. Yes.</p> <p>10 A. I believe those documents were</p> <p>11 provided to you, so everything -- even</p> <p>12 though you said in the response to request</p> <p>13 number 32 that you verified, even though</p> <p>14 you said "The plaintiff has not identified</p> <p>15 any documents responsive to this request,"</p> <p>16 you are now telling me responsive</p> <p>17 documents were provided to me?</p> <p>18 A. The video is what I am referring</p> <p>19 to, which we have discussed earlier, and</p> <p>20 that would have been a video of a</p> <p>21 representation of Terrence Cheng's</p> <p>22 defamation, the defamatory actions, the</p> <p>23 results of his defamatory actions, and</p> <p>24 those were provided to you.</p> <p>25 Q. Request number 32 doesn't ask</p>

<p style="text-align: right;">Page 437</p> <p>1 WILSON</p> <p>2 for any documents relating to the results</p> <p>3 of his alleged defamatory actions, does</p> <p>4 it?</p> <p>5 A. They were responsive, and so I</p> <p>6 provided responsive information to you.</p> <p>7 Q. Okay. Now, I am going to show</p> <p>8 you Exhibit 21.</p> <p>9 (Document handed to witness.)</p> <p>10 Q. Exhibit 21 are the documents</p> <p>11 that your counsel provided to me. They</p> <p>12 were not Bates stamped, so I Bates stamped</p> <p>13 them. I Bates stamped them P 1 through P</p> <p>14 50.</p> <p>15 So I would ask that you briefly</p> <p>16 look through Exhibit 21 and tell me</p> <p>17 whether these were the documents that you</p> <p>18 provided to your counsel to produce in</p> <p>19 this case besides the videos that we have</p> <p>20 already talked about?</p> <p>21 MR. JAMES KLEIN: This is</p> <p>22 marked 21?</p> <p>23 THE WITNESS: 21.</p> <p>24 A. I saw -- I am looking at them</p> <p>25 now. So what is your question again?</p>	<p style="text-align: right;">Page 439</p> <p>1 WILSON</p> <p>2 A. To my recollection.</p> <p>3 Q. And included in the 50 pages of</p> <p>4 production documents in this case were</p> <p>5 copies of all documents related to your</p> <p>6 numerous and repeated oral and written</p> <p>7 demands for return of your confiscated</p> <p>8 property?</p> <p>9 MR. JAMES KLEIN: All documents</p> <p>10 in his possession.</p> <p>11 MR. MARK KLEIN: Yes. You</p> <p>12 know, it is kind of hard to prove what is</p> <p>13 not in his possession, but, yes, all</p> <p>14 documents in your possession.</p> <p>15 A. Yes.</p> <p>16 Q. Okay. I would like to turn</p> <p>17 your attention to page 31 of Exhibit 21.</p> <p>18 A. Yes.</p> <p>19 Q. Now, P 21 consists of an e-mail</p> <p>20 to you --</p> <p>21 A. You said P 31 or B 21?</p> <p>22 Q. P 21.</p> <p>23 MR. JAMES KLEIN: I think you</p> <p>24 said 21.</p> <p>25 A. You said 31. I apologize P 21.</p>
<p style="text-align: right;">Page 438</p> <p>1 WILSON</p> <p>2 Q. Are these the documents you</p> <p>3 provided to your counsel as documents</p> <p>4 responsive to the various document</p> <p>5 requests that defendants sent to you?</p> <p>6 A. Yes. They -- they are</p> <p>7 documents I provided to my counsel in</p> <p>8 response.</p> <p>9 Q. Okay. Now, going back for a</p> <p>10 moment to Exhibit 20, if you go to page</p> <p>11 40.</p> <p>12 A. Of this?</p> <p>13 Q. Page 40 of Exhibit 20.</p> <p>14 A. Uh-huh.</p> <p>15 Q. Request 34 asks for all</p> <p>16 documents relating to the "numerous and</p> <p>17 repeated oral and written demands" for the</p> <p>18 return of the "confiscated property" as</p> <p>19 alleged in paragraph 37 of the Complaint.</p> <p>20 You see that, sir, right?</p> <p>21 A. I do.</p> <p>22 Q. And you provided to your counsel</p> <p>23 copies of all documents relating to any</p> <p>24 oral and written demands for return of</p> <p>25 your confiscated property, right?</p>	<p style="text-align: right;">Page 440</p> <p>1 WILSON</p> <p>2 Q. Are you on page 21, sir?</p> <p>3 A. Yes.</p> <p>4 Q. That consists of an e-mail</p> <p>5 exchange between you and Pamela Pollack on</p> <p>6 February 8 and February 9 regarding the</p> <p>7 subject "pecking my things," right?</p> <p>8 A. Correct.</p> <p>9 Q. Now, who is Donna Devose,</p> <p>10 D-E-V-O-S-E, who is indicated as a CC on</p> <p>11 these e-mails?</p> <p>12 A. I am not sure.</p> <p>13 Q. You copied her on your original</p> <p>14 e-mail to Pam Pollack, correct?</p> <p>15 A. Apparently.</p> <p>16 Q. All right. Now, in your e-mail</p> <p>17 to Pam Pollack on February 8, the first</p> <p>18 sentence --</p> <p>19 MR. JAMES KLEIN: Well, on his</p> <p>20 original e-mail, I mean this is the first</p> <p>21 e-mail you are showing us with a CC on it,</p> <p>22 so you mischaracterized it. There is no</p> <p>23 evidence --</p> <p>24 MR. MARK KLEIN: Objection to</p> <p>25 form. Okay.</p>

35 (Pages 437 - 440)

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1 WILSON
2 He sent an e-mail to Pamela
3 Pollack. He copied Donna Devose. Right.
4 That is what I asked him. I asked him
5 who Donna Devose was. He doesn't know.
6 MR. JAMES KLEIN: You showed
7 him an e-mail from Pam Pollack, and then
8 you said he copied her on the original he
9 e-mail.
10 MR. MARK KLEIN: I am helping
11 you out Mr. Klein, since this seems to be
12 too difficult. There are two e-mails on
13 page P 21. The bottom is an e-mail from
14 Joseph Wilson to Pam Pollack and a copy to
15 Donna Devose.
16 MR. JAMES KLEIN: Now I see it.
17 Thank you.
18 Q. Okay. The first sentence of
19 your e-mail to Pam Pollack says, "I need
20 to arrange to peck books and papers and
21 boxes and remove from 25 Broadway."
22 A. Yes.
23 Q. You didn't ask anything about
24 the materials in your office on the
25 Brooklyn College campus in this e-mail,

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1 WILSON
2 right?
3 A. In this e-mail, that is right.
4 Q. Okay. Can you go to the next
5 page?
6 A. Page P 22.
7 Q. P 22 and P 23.
8 A. Uh-huh.
9 Q. Those are a series of e-mails
10 between Pamela Pollack and Pete Zwiebach,
11 your attorney on which you were copied,
12 correct?
13 A. Correct.
14 Q. And in the e-mail in the middle
15 of the page on P 22, Ms. Pollack stated
16 "Please let me know what files Professor
17 Wilson needs from his computer to teach
18 his classes, and I will arrange to have
19 them sent to him." Do you see that, sir?
20 A. I see that.
21 Q. Did Pam Pollack arrange to get
22 the files from your computer that you
23 needed to teach your courses?
24 A. I don't recall that.
25 Q. If you could go to P 34.

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1 WILSON
2 A. Yes.
3 Q. Do you see toward the bottom of
4 page P 34 there is an e-mail from you to
5 Pamela Pollack? Do you see that?
6 A. Yes.
7 Q. And it is dated February 20,
8 2012, right?
9 A. Yes.
10 Q. And in that e-mail in the second
11 paragraph you say "I did receive the
12 computer files."
13 A. Yes, I see that.
14 Q. Does that refresh your
15 recollection that you received computer
16 files?
17 A. I believe I received a computer
18 disk. Correct.
19 Q. And what was on that computer
20 disk?
21 A. I believe that was the disk or
22 the list of files that you provided my
23 counsel recently. I think that was the
24 same thing.
25 Q. So you got a computer disk, the

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1 WILSON
2 same thing you are asking us to provide
3 another copy of today to you?
4 A. Because they were seized. That
5 was seized again. That was another
6 seizure of everything that I had in my
7 office on the main campus. So yes, I had
8 it at one time, and it was seized again.
9 Q. The computer disk that Pam
10 Pollack sent you and you acknowledged
11 receipt of in February of 2012, you are
12 saying it was seized again?
13 A. That's correct.
14 Q. The computer disk that was sent
15 to your home was seized again? Is that
16 what you are saying?
17 A. That's correct.
18 Q. How was it seized again?
19 A. Because I had the computer disk
20 in my office at Brooklyn College, and
21 everything from my office at Brooklyn
22 College was seized.
23 Q. Okay. I'll direct your
24 attention to P 24.
25 A. P 24, not 34?

<p style="text-align: right;">Page 445</p> <p>1 WILSON</p> <p>2 Q. I said 24.</p> <p>3 A. Because we were on 34.</p> <p>4 Q. Okay.</p> <p>5 A. P 24. Okay.</p> <p>6 Q. Now, that indicates toward the</p> <p>7 bottom of the page that there is a page --</p> <p>8 that is page 1, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And if you go to P 25, it</p> <p>11 indicates that that is page 3, right?</p> <p>12 A. Right.</p> <p>13 Q. And then the next page is page</p> <p>14 4?</p> <p>15 A. Correct.</p> <p>16 MR. MARK KLEIN: You didn't</p> <p>17 provide page 2 of this stream of e-mails.</p> <p>18 I call for production of page 2.</p> <p>19 Q. Now --</p> <p>20 A. Let me just -- this is where it</p> <p>21 says "Pam, I need my computer and printed</p> <p>22 documents" --</p> <p>23 MR. JAMES KLEIN: No, 24.</p> <p>24 A. Page 24.</p> <p>25 MR. JAMES KLEIN: That is 3.</p>	<p style="text-align: right;">Page 447</p> <p>1 WILSON</p> <p>2 I will say, and I don't have direct</p> <p>3 knowledge of this myself, since this is an</p> <p>4 e-mail chain involving Mr. Zwiebach, there</p> <p>5 may have been e-mails or portions of the</p> <p>6 e-mail chain that were privileged. I</p> <p>7 don't know since I was not the attorney on</p> <p>8 the case at the time. So what I will say</p> <p>9 is I will look into the circumstances of</p> <p>10 missing pages and get you either the pages</p> <p>11 themselves or a response as to why they</p> <p>12 were not produced.</p> <p>13 Q. Okay.</p> <p>14 A. But just to clarify --</p> <p>15 Q. I haven't asked you a question,</p> <p>16 sir.</p> <p>17 A. You asked me about the e-mail,</p> <p>18 and I was just pointing out -- okay.</p> <p>19 Sorry.</p> <p>20 Q. Did you provide to me all of the</p> <p>21 e-mails that your attorney Pete Zwiebach</p> <p>22 sent requesting that you get access to</p> <p>23 your files and personal documents and</p> <p>24 personal property at either 25 Broadway or</p> <p>25 Brooklyn College?</p>
<p style="text-align: right;">Page 446</p> <p>1 WILSON</p> <p>2 This is 1.</p> <p>3 A. Okay.</p> <p>4 MR. JAMES KLEIN: So there is</p> <p>5 no page 2.</p> <p>6 A. Okay. Page 2, but there is a</p> <p>7 page 3.</p> <p>8 Q. And it could be that P 24 is one</p> <p>9 page of an e-mail, and then there is 3 and</p> <p>10 4. We are missing pages, which appears to</p> <p>11 be the case.</p> <p>12 MR. JAMES KLEIN: You are</p> <p>13 missing page 2?</p> <p>14 MR. MARK KLEIN: No, I</p> <p>15 think -- if you look at page P 24, that is</p> <p>16 the same as page 3 on P 29.</p> <p>17 A. That is the same as page 3 on P</p> <p>18 25. P 25.</p> <p>19 MR. JAMES KLEIN: No that is</p> <p>20 what it says on P 25. Mr. Klein, I</p> <p>21 understand your question and --</p> <p>22 Q. I think page 2 is missing from</p> <p>23 the e-mail chain. It appears on page P 25</p> <p>24 and P 26.</p> <p>25 MR. JAMES KLEIN: The only thing</p>	<p style="text-align: right;">Page 448</p> <p>1 WILSON</p> <p>2 A. I cannot speak to all of the</p> <p>3 e-mails that Pete Zwiebach sent on my</p> <p>4 behalf concerning my documents.</p> <p>5 Q. So did you provide me all of the</p> <p>6 e-mails in your possession that Pete</p> <p>7 Zwiebach sent requesting that you get</p> <p>8 access or possession of your personal</p> <p>9 property and materials?</p> <p>10 A. Pete Zwiebach may be in</p> <p>11 possession of additional documents, and we</p> <p>12 will look to find that out.</p> <p>13 Q. Dr. Wilson, could you answer a</p> <p>14 straight question with a straight answer?</p> <p>15 Have you provided to me all of the e-mails</p> <p>16 in your possession that Pete Zwiebach sent</p> <p>17 requesting that you get access to your</p> <p>18 documents and personal property?</p> <p>19 A. To the best of my knowledge, but</p> <p>20 that doesn't mean there may not be more</p> <p>21 e-mails.</p> <p>22 Q. I understand that. I just</p> <p>23 asked a simple question, and I asked for a</p> <p>24 simple answer, which you apparently are</p> <p>25 not able to do.</p>

37 (Pages 445 - 448)

<p style="text-align: right;">Page 449</p> <p>1 WILSON</p> <p>2 A. I object to that because I find</p> <p>3 that insulting, and I am not trying to</p> <p>4 insult you.</p> <p>5 Q. Well, I'm sorry you find it</p> <p>6 insulting, but if could you answer a</p> <p>7 question that I ask you in a</p> <p>8 straightforward fashion then I won't have</p> <p>9 to keep asking the same question over and</p> <p>10 over again.</p> <p>11 A. The only reason why I ask</p> <p>12 questions is because I need clarification,</p> <p>13 and because I need clarification that is a</p> <p>14 professional request. It is not</p> <p>15 insulting.</p> <p>16 Q. I direct your attention to page</p> <p>17 P 27. There is an e-mail at the bottom of</p> <p>18 the page sent on Wednesday, February 15,</p> <p>19 2012 at 2:34 p.m. by you to Pam Pollack</p> <p>20 with a copy to Pete Zwiebach, right?</p> <p>21 A. Correct.</p> <p>22 Q. And for the record Zwiebach is</p> <p>23 spelled Z-W-I-E-B-A-C-H.</p> <p>24 Okay. Now, you asked for</p> <p>25 materials from your office at Brooklyn</p>	<p style="text-align: right;">Page 451</p> <p>1 WILSON</p> <p>2 Q. Ms. Pollack responded in the</p> <p>3 e-mail above, right, sent on February 15</p> <p>4 the same day at 4:10 p.m.?</p> <p>5 A. That's correct.</p> <p>6 Q. And she said "Can you tell me</p> <p>7 which books you need now? Also are there a</p> <p>8 lot of DVDs and video or a few? If there</p> <p>9 are only a few, we will pack all of them</p> <p>10 tomorrow. If there are many, please give</p> <p>11 me the names of the DVDs and videos." Do</p> <p>12 see that, sir?</p> <p>13 A. I see that.</p> <p>14 Q. Did you respond?</p> <p>15 A. I believe I did.</p> <p>16 Q. Did you respond by e-mail?</p> <p>17 A. I don't recall.</p> <p>18 MR. MARK KLEIN: I don't see a</p> <p>19 copy of that response in the documents you</p> <p>20 produced, so I call for production.</p> <p>21 A. I didn't say I responded by</p> <p>22 e-mail. I just said --</p> <p>23 MR. MARK KLEIN: If you</p> <p>24 responded by e-mail or other writing, I</p> <p>25 call for production.</p>
<p style="text-align: right;">Page 450</p> <p>1 WILSON</p> <p>2 College 3608 James, correct?</p> <p>3 A. Incorrect.</p> <p>4 Q. Well, the first sentence refers</p> <p>5 to your office at 3608 James, right? Yes</p> <p>6 or no.</p> <p>7 A. Yes, that is my office, 3608</p> <p>8 James. Yes.</p> <p>9 Q. Does that refresh your</p> <p>10 recollection as to the office number of</p> <p>11 your office?</p> <p>12 A. On the main campus, correct.</p> <p>13 Q. Now, you asked for your lecture</p> <p>14 notes on your desk at 25 Broadway, right?</p> <p>15 A. That's correct.</p> <p>16 Q. And you said you need course</p> <p>17 related documentary videos and DVDs and a</p> <p>18 few books on your bookshelf. That is</p> <p>19 what you asked for in the next sentence,</p> <p>20 right?</p> <p>21 A. That's correct.</p> <p>22 Q. And you claim that you hadn't</p> <p>23 been able to adequately teach your classes</p> <p>24 in the interim, right?</p> <p>25 A. That's correct.</p>	<p style="text-align: right;">Page 452</p> <p>1 WILSON</p> <p>2 Q. You don't recall responding by</p> <p>3 e-mail. Is that what you are telling me?</p> <p>4 A. I don't recall how I responded.</p> <p>5 Q. I direct your attention to page</p> <p>6 P 30.</p> <p>7 A. P 30.</p> <p>8 Q. At the top of the page, there is</p> <p>9 an e-mail from Pam Pollack to you and</p> <p>10 Peter Zwiebach, which states it -- and</p> <p>11 this was sent on February 15, 2012 at 4:51</p> <p>12 p.m., correct?</p> <p>13 A. Correct.</p> <p>14 Q. "Joe, the items that were taken</p> <p>15 from your office by the university have</p> <p>16 been copied and will be sent to you at</p> <p>17 your home addressed." Do you see that?</p> <p>18 A. I see that.</p> <p>19 Q. Did you receive anything?</p> <p>20 A. Other than the video for the</p> <p>21 class, I don't recall receiving anything</p> <p>22 from the university.</p> <p>23 Q. Okay. Now, going again to P</p> <p>24 34.</p> <p>25 A. P 34.</p>

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1 WILSON
2 Q. Have you found P 34, sir?
3 A. Yes.
4 Q. You see at the bottom of P 34
5 there is an e-mail from you to Pamela
6 Pollack, correct?
7 A. Yes.
8 Q. And the subject of the e-mail is
9 "Delivery of office materials"?
10 A. Yes.
11 Q. And you say "Hi, Pam. I would
12 prefer to have my books and files
13 delivered to my office in James Hall.
14 The plant and easel could be delivered to
15 my home. I did receive the computer
16 files."
17 A. Yes.
18 Q. Were your books and files
19 delivered to your office at James Hall?
20 A. No, I don't recall seeing those.
21 I don't believe I received them.
22 Q. Do you know of any e-mail
23 between -- well, go to the next page. Do
24 you see there is an exchange of e-mails
25 between you and Pam Pollack on March 22,

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1 WILSON
2 2012?
3 A. So this would be the following
4 months, February, March. Yes.
5 Q. Do you know of any e-mail
6 communications or other
7 communications -- I'll ask one at a time.
8 Do you know of any
9 communications with Pam Pollack regarding
10 your office materials between February 22
11 and March 22?
12 A. No.
13 Q. You don't know of any
14 communications either orally or by e-mail;
15 is that right?
16 A. I don't recall, no.
17 Q. Okay. On March 22 on the next
18 page there is an exchange of e-mails
19 between you and Pam Pollack, correct?
20 A. March 24?
21 MR. JAMES KLEIN: Are we on P
22 35 now?
23 MR. MARK KLEIN: We are on P
24 35.
25 A. P 35.

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1 WILSON
2 Q. Okay. That is an exchange of
3 e-mails between you and Pam Pollack on
4 March 22, 2015 -- 2012. I'm sorry.
5 Correct?
6 A. Wait. Let me just get the time
7 frame. So this was -- so this is three
8 months after my documents were seized, and
9 I am saying what is the status of these.
10 Okay.
11 Q. The question, Dr. Wilson, was,
12 and it only was, is this an exchange of
13 e-mails on March 22, 2012?
14 A. Yes.
15 Q. Can you answer that yes or no?
16 A. Yes.
17 Q. Okay. And you say in the e-mail
18 from you sent on March 22 from you at
19 11:07, "Hi, Pam. What is the status of my
20 books, papers, files, and personal items
21 that should have been returned by now?
22 This lack of access is limiting my ability
23 to carry out my professional
24 responsibilities including research and
25 teaching." You said that, correct?

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1 WILSON
2 A. Yes.
3 Q. And Ms. Pollack responded in the
4 e-mail on that same page at the top "Joe,
5 we will return all of your belongings by
6 next week. I believe, however, that we
7 returned the items you needed for
8 teaching." Do you see that?
9 A. I see that.
10 Q. Did you receive that e-mail?
11 A. Did I receive that e-mail?
12 Q. Did you receive anything the
13 next week?
14 A. No.
15 Q. Yes or no?
16 A. No.
17 Q. All right. If you go to P 36.
18 A. Yes.
19 Q. There is an e-mail about a third
20 of the page down sent on March 23, 2012 at
21 7:33 a.m. Do you see that?
22 A. Yes.
23 Q. And you say "Pam, I was given
24 minimal materials that actually only
25 helped on a limited basis for a few class

<p style="text-align: right;">Page 457</p> <p>1 WILSON</p> <p>2 sessions. I was told that my materials</p> <p>3 would be returned in a few days in order</p> <p>4 to teach and conduct research. I need</p> <p>5 access to all of my books and documents."</p> <p>6 You said that to Ms. Pollack, right?</p> <p>7 A. Yes.</p> <p>8 Q. And she responded in the e-mail</p> <p>9 above, correct?</p> <p>10 A. Correct.</p> <p>11 Q. Now, did you receive any of your</p> <p>12 books and papers or other items after</p> <p>13 March 23, 2012?</p> <p>14 A. Other than those items that I</p> <p>15 confirmed, no.</p> <p>16 Q. If you could go to page P 40.</p> <p>17 A. Uh-huh.</p> <p>18 Q. P 40 is an exchange of e-mails</p> <p>19 between and you Michael Hewitt on April 14</p> <p>20 and April 17, 2014, correct?</p> <p>21 A. Uh-huh.</p> <p>22 Q. That's a yes?</p> <p>23 A. That's a yes.</p> <p>24 Q. So do you have any -- the</p> <p>25 e-mails we were looking at previously, the</p>	<p style="text-align: right;">Page 459</p> <p>1 WILSON</p> <p>2 A. I am aware that I communicated</p> <p>3 with my -- with Pete Zwiebach about not</p> <p>4 having my documents yet, so I -- I</p> <p>5 communicated with him.</p> <p>6 Q. My question was are you aware of</p> <p>7 any communications between you including</p> <p>8 your attorney and representatives of CUNY</p> <p>9 or Brooklyn College regarding recovering</p> <p>10 your belongings between May of 2013 and</p> <p>11 April of 2014?</p> <p>12 A. Yes. There were previous</p> <p>13 communications here.</p> <p>14 Q. Were they between May of 2013</p> <p>15 and April of 2014 or were they before May</p> <p>16 2013?</p> <p>17 A. I see one that says May 29,</p> <p>18 2013.</p> <p>19 Q. That is May of 2013, right?</p> <p>20 A. Yes.</p> <p>21 Q. So after May 29, 2013 and before</p> <p>22 after 14, 2014, are you aware of any</p> <p>23 communications between you and including</p> <p>24 your attorney and representatives of</p> <p>25 Brooklyn College or CUNY regarding</p>
<p style="text-align: right;">Page 458</p> <p>1 WILSON</p> <p>2 latest one was May of 2013, correct? If</p> <p>3 you go to page P 38.</p> <p>4 A. P 38.</p> <p>5 Q. Those e-mails were exchanged in</p> <p>6 May of 2013, right?</p> <p>7 A. Right.</p> <p>8 Q. And P 40 is an e-mail exchange</p> <p>9 in April of 2014 almost a year later,</p> <p>10 right?</p> <p>11 A. Correct.</p> <p>12 Q. Are you aware of any</p> <p>13 communications either oral or by document</p> <p>14 or e-mail between May of 2013 and April of</p> <p>15 2014?</p> <p>16 A. What do you mean by any</p> <p>17 communications?</p> <p>18 Q. Are you aware of any</p> <p>19 communications regarding recovery of your</p> <p>20 files and materials --</p> <p>21 MR. JAMES KLEIN:</p> <p>22 Communications between whom?</p> <p>23 Q. With anyone at Brooklyn College</p> <p>24 or CUNY between May of 2013 and April of</p> <p>25 2014.</p>	<p style="text-align: right;">Page 460</p> <p>1 WILSON</p> <p>2 recovering your belongings?</p> <p>3 A. I can't recall.</p> <p>4 Q. The e-mail on page 40 towards</p> <p>5 the bottom of the page, it is from --</p> <p>6 A. 14 --</p> <p>7 Q. P 40 toward the bottom of the</p> <p>8 page.</p> <p>9 A. P 40 at the bottom of the page.</p> <p>10 Q. There is an e-mail from you to</p> <p>11 Michael Hewitt sent on April 14, 2014 at</p> <p>12 5:16 p.m., correct?</p> <p>13 A. Yes.</p> <p>14 Q. You said "Hi, Michael. Please</p> <p>15 confirm May 8 is the day I could recover</p> <p>16 my books, papers, et cetera, taken by</p> <p>17 Paisley." Do you see that?</p> <p>18 A. That's correct.</p> <p>19 Q. Did you go to Brooklyn College</p> <p>20 on May 8 to attempt to recover your</p> <p>21 belongings?</p> <p>22 A. It was an unsuccessful attempt,</p> <p>23 but I attempted to.</p> <p>24 Q. So you didn't go to Brooklyn</p> <p>25 College on May 8 to recover your</p>

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1 WILSON
2 belonging?
3 A. I did go, but I didn't involve
4 my belongings.
5 Q. Why is that?
6 A. Because I was prohibited from
7 taking my belongings other than a couple
8 of items, but I was not allowed to take
9 papers and documents.
10 Q. Did there come a time that you
11 were allowed to take your belongings and
12 boxes?
13 A. I believe in 2016, sometime in
14 2016 March, April around April or May of
15 2016 whatever was left over I was -- I had
16 access to.
17 Q. All right. If you go to P 41.
18 You are on that page?
19 A. Uh-huh.
20 Q. That is a yes?
21 A. Correct.
22 Q. Toward the bottom of the page
23 there is an e-mail that was sent on May 5,
24 2016 at 4:03 p.m. from you to Michael,
25 right?

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1 WILSON
2 A. Right. Yes.
3 Q. And that is Michael Hewitt,
4 right?
5 A. Correct.
6 Q. And you say "If you can get
7 somebody to help move boxes, that would be
8 helpful," right?
9 A. That's correct.
10 Q. And then you make specific
11 reference to a wooden easel.
12 A. Uh-huh.
13 Q. Correct?
14 A. Correct.
15 Q. And your Apple monitor, right?
16 A. That's correct.
17 Q. And a copy of a receipt
18 for -- in connection with a reception on
19 November of 2011, right?
20 A. That's correct.
21 Q. And that is what you directed
22 Mr. Hewitt's attention to, right?
23 A. That's correct.
24 Q. Okay. If you could go to P 42.
25 Have you seen that -- the e-mail on page P

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1 WILSON
2 42 before?
3 A. Yes.
4 Q. That is an e-mail from your
5 attorney Pete Zwiebach to Michael Hewitt
6 on which you were copied, correct?
7 A. Correct.
8 Q. And the first sentence of that
9 e-mail says, "I apologize for dropping the
10 ball the last time we arranged for Joe to
11 pick up his personal possessions from BC."
12 Do you see that?
13 A. That's correct.
14 Q. Do you know what Mr. Zwiebach
15 meant when he said he was apologizing for
16 dropping the ball?
17 A. Yes, I do.
18 Q. What do you understand that to
19 refer to?
20 A. That after February 2016, after
21 I was terminated, the college -- Pete was
22 negotiating with the college to come and
23 get whatever was left over.
24 Q. And what did he mean when he
25 said that he was apologizing for dropping

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1 WILSON
2 the ball?
3 A. Because I think, and I am not
4 sure, but technically after the 29th of
5 February 2016 I think that after that
6 point the college didn't care about what
7 happened to my materials. They didn't
8 care before, and they didn't care at that
9 point.
10 Q. So that's your response to my
11 question about what Mr. Zwiebach meant
12 when he apologized for dropping the ball?
13 A. Right. Yes. That is my
14 response.
15 Q. That is your response, and you
16 think that is a response to the question I
17 asked you?
18 A. Repeat the question.
19 Q. I have already asked it twice.
20 I show you of what has been
21 marked as Exhibit 22, and for the record
22 Exhibit 22 is a document entitled
23 "Plaintiff's Responses and Objections to
24 Defendants' Second Set of Document
25 Production Requests."

<p style="text-align: right;">Page 465</p> <p>1 WILSON</p> <p>2 A. What is the date on this?</p> <p>3 Q. I draw your attention to the</p> <p>4 second to last page. That is the date.</p> <p>5 November 2, 2018.</p> <p>6 A. So this is from you?</p> <p>7 Q. No, this is from you.</p> <p>8 MR. JAMES KLEIN: No.</p> <p>9 Q. If you go to the third to last</p> <p>10 page, Dr. Wilson.</p> <p>11 MR. JAMES KLEIN: Third to</p> <p>12 last.</p> <p>13 Q. Third to the last page.</p> <p>14 A. Okay. Do you see your</p> <p>15 signature?</p> <p>16 A. Yes.</p> <p>17 Q. And that is a copy of your</p> <p>18 signature, sir?</p> <p>19 A. Correct.</p> <p>20 Q. And it is a verification you</p> <p>21 signed in connection with responses to the</p> <p>22 defendants' second set of document</p> <p>23 requests?</p> <p>24 A. Correct.</p> <p>25 Q. And you signed this on December</p>	<p style="text-align: right;">Page 467</p> <p>1 WILSON</p> <p>2 that appears on the preceding page,</p> <p>3 correct?</p> <p>4 A. Let me just see. You are</p> <p>5 talking about starting on page 4.</p> <p>6 Q. On page 4 there is request</p> <p>7 number 1, right?</p> <p>8 A. Yes, page 4.</p> <p>9 Q. And at the very bottom of page</p> <p>10 4, there is words that say response to</p> <p>11 request number 1, but the actual response</p> <p>12 is on page 5, right?</p> <p>13 A. I see that, yes.</p> <p>14 Q. Okay. And the first paragraph</p> <p>15 in the response to request number 1 states</p> <p>16 "Plaintiff states that following a</p> <p>17 responsible search" --</p> <p>18 A. I don't see that now. I just</p> <p>19 missed that. I'm sorry. Show me where.</p> <p>20 Q. Do you see that in the second</p> <p>21 line of the first --</p> <p>22 A. Plaintiff states --</p> <p>23 Q. -- first paragraph of the</p> <p>24 response?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 466</p> <p>1 WILSON</p> <p>2 2018?</p> <p>3 A. That's correct.</p> <p>4 Q. So have you seen the document</p> <p>5 that precedes your verification where you</p> <p>6 signed?</p> <p>7 A. Yes.</p> <p>8 Q. And did you review this before</p> <p>9 it was produced?</p> <p>10 A. Before it was produced? You</p> <p>11 can't review something before it was</p> <p>12 produced.</p> <p>13 Q. Did you review this before your</p> <p>14 counsel provided it to me?</p> <p>15 A. Yes.</p> <p>16 Q. And did you approve it before</p> <p>17 your counsel provided it to me?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Now, again, this document</p> <p>20 contains the expression in response to</p> <p>21 numerous document requests that "Plaintiff</p> <p>22 states that" --</p> <p>23 A. What page are you on?</p> <p>24 Q. Let's go to page 5. On page 5,</p> <p>25 there is a response to request number 1</p>	<p style="text-align: right;">Page 468</p> <p>1 WILSON</p> <p>2 Q. "Plaintiff states that</p> <p>3 following a responsible search, the</p> <p>4 plaintiff has not identified any documents</p> <p>5 responsive to this request." Do you see</p> <p>6 that?</p> <p>7 A. I see that.</p> <p>8 Q. And do you recall that in</p> <p>9 connection with your response to</p> <p>10 defendant's first set of document</p> <p>11 requests, you had the same or similar</p> <p>12 response over and over again about</p> <p>13 plaintiff not identifying any documents</p> <p>14 responsive to the request. Do you</p> <p>15 remember that?</p> <p>16 A. Yes.</p> <p>17 Q. And I asked you whether those</p> <p>18 words when you say plaintiff has not</p> <p>19 identified any documents responsive to</p> <p>20 this request are the same as saying you do</p> <p>21 not have in your possession or control any</p> <p>22 documents responsive to the request?</p> <p>23 A. My response is the same. The</p> <p>24 documents that may have been responsive</p> <p>25 were seized by the University or by these</p>

42 (Pages 465 - 468)

<p style="text-align: right;">Page 469</p> <p>1 WILSON</p> <p>2 individuals or both and were under their</p> <p>3 control, not mine. So --</p> <p>4 Q. All right. I see we are going</p> <p>5 to have to do this again because I can't</p> <p>6 get a straight answer to my question.</p> <p>7 My question is, sir, do you have</p> <p>8 any documents in your possession and</p> <p>9 control as opposed to what might have been</p> <p>10 at the University and that you no longer</p> <p>11 have possession or control of, any</p> <p>12 documents responsive to request number 1?</p> <p>13 Yes or no.</p> <p>14 A. Not to my understanding at this</p> <p>15 moment.</p> <p>16 Q. Okay. And with respect to</p> <p>17 request number 2, would you look at</p> <p>18 request number 2 at the bottom of page 5?</p> <p>19 A. Yes.</p> <p>20 Q. And my question --</p> <p>21 A. First I have to look at the</p> <p>22 request to number 2. Let's see.</p> <p>23 Q. I just asked you to.</p> <p>24 A. I didn't look at it, so give me</p> <p>25 a chance to look at it. Well --</p>	<p style="text-align: right;">Page 471</p> <p>1 WILSON</p> <p>2 Q. Okay. All right. Could you</p> <p>3 look at request number 3 on page 6. Now,</p> <p>4 I asked you yesterday about whether you</p> <p>5 had any property casualty or other</p> <p>6 insurance policy covering the "damaged</p> <p>7 documents and properties" referred to on</p> <p>8 pages 11 and 12 of your initial</p> <p>9 disclosures, and you told me you didn't</p> <p>10 have any insurance, right?</p> <p>11 A. That is what I told you. I</p> <p>12 don't have insurance.</p> <p>13 Q. And request number 4 on page 7</p> <p>14 asks --</p> <p>15 A. Hold on one second. 4 on page</p> <p>16 7.</p> <p>17 Q. -- asks for documents relating</p> <p>18 to any claim that you made under any</p> <p>19 property casualty or other insurance</p> <p>20 policy, and you made no claim under any</p> <p>21 insurance policy; is that right?</p> <p>22 A. That is correct.</p> <p>23 Q. All right. If you go to</p> <p>24 request number 7 on page 10.</p> <p>25 A. Just one quick moment. I am</p>
<p style="text-align: right;">Page 470</p> <p>1 WILSON</p> <p>2 Q. I haven't asked you a question</p> <p>3 yet.</p> <p>4 A. Okay.</p> <p>5 Q. My question is do you have in</p> <p>6 your possession or control as opposed to</p> <p>7 what might have been at the University</p> <p>8 that you no longer have possession or</p> <p>9 control of any documents responsive to</p> <p>10 request number 2? Yes or no.</p> <p>11 A. Not that I am aware of at this</p> <p>12 moment, but I have to amend a -- an</p> <p>13 earlier response to an e-mail that was a</p> <p>14 list of items for Michael Hewitt, and</p> <p>15 those items were never returned. All of</p> <p>16 the items that were listed were never</p> <p>17 returned.</p> <p>18 Q. So your testimony is other than</p> <p>19 documents you've already produced, you</p> <p>20 don't have anything in your possession or</p> <p>21 control responsive to exhibit -- to</p> <p>22 request number 2?</p> <p>23 A. That is not what I said. I</p> <p>24 said to the best of my knowledge at this</p> <p>25 moment.</p>	<p style="text-align: right;">Page 472</p> <p>1 WILSON</p> <p>2 just going to stretch for a minute.</p> <p>3 (Pause.)</p> <p>4 A. Okay.</p> <p>5 Q. Are you at request number 7 on</p> <p>6 page 10?</p> <p>7 A. Number 7, yes, on page 10.</p> <p>8 Q. Okay. Now, could you read that</p> <p>9 request to yourself.</p> <p>10 A. Number 7?</p> <p>11 Q. Yes. Tell me when you have</p> <p>12 done so.</p> <p>13 (Pause.)</p> <p>14 A. Yes, I have read number 7 on</p> <p>15 page 10, the request.</p> <p>16 Q. Okay. Now, the response to</p> <p>17 request number 7 says in part "Plaintiff</p> <p>18 states that following a responsible search</p> <p>19 the plaintiff has not identified any</p> <p>20 documents responsive to this request." Do</p> <p>21 you see that, sir?</p> <p>22 A. I see that.</p> <p>23 Q. Do you have any documents in</p> <p>24 your possession or control responsive to</p> <p>25 request number 7?</p>

<p style="text-align: right;">Page 473</p> <p>1 WILSON</p> <p>2 A. At this moment I haven't</p> <p>3 identified any documents.</p> <p>4 Q. That is not what I asked you.</p> <p>5 I didn't ask you whether you identified</p> <p>6 any. I asked whether you have in your</p> <p>7 possession or control any documents</p> <p>8 responsive to that request. Yes or no.</p> <p>9 A. The answer is I am unaware at</p> <p>10 this moment of those documents.</p> <p>11 Q. And if you find any such</p> <p>12 documents, you'll provide them to your</p> <p>13 counsel to be produced in this case; is</p> <p>14 that right, sir?</p> <p>15 A. Yes. I will provide any</p> <p>16 documents that I find that are responsive</p> <p>17 to this.</p> <p>18 Q. All right. Now, request number</p> <p>19 8 on page 11, could you read request</p> <p>20 number 8 to yourself.</p> <p>21 (Pause.)</p> <p>22 A. Yes, I have read the request.</p> <p>23 Q. And in response to that request,</p> <p>24 you say in the first paragraph in part</p> <p>25 "Plaintiff states that following a</p>	<p style="text-align: right;">Page 475</p> <p>1 WILSON</p> <p>2 Q. And where did you search for</p> <p>3 documents?</p> <p>4 A. Documents that I had at home.</p> <p>5 Q. Where at home?</p> <p>6 A. In my bedroom.</p> <p>7 Q. Did you look anywhere else</p> <p>8 besides your bedroom?</p> <p>9 A. No.</p> <p>10 Q. Do you have any files elsewhere</p> <p>11 in your apartment?</p> <p>12 A. I do have one other file, yes.</p> <p>13 Q. What other file do you have?</p> <p>14 A. Family stuff.</p> <p>15 Q. Did you look in that file for</p> <p>16 any documents responsive to these</p> <p>17 requests?</p> <p>18 A. Not in my family stuff, no.</p> <p>19 Q. Is there any reason you didn't</p> <p>20 look in those files?</p> <p>21 A. It didn't occur to me.</p> <p>22 Q. Are you going to look in those</p> <p>23 files to see if there is anything</p> <p>24 responsive?</p> <p>25 A. I will.</p>
<p style="text-align: right;">Page 474</p> <p>1 WILSON</p> <p>2 responsible search the plaintiff has not</p> <p>3 identified any documents responsive to</p> <p>4 this request." Do you see that?</p> <p>5 A. I see that.</p> <p>6 Q. I will ask you the same</p> <p>7 question. Do you have in your possession</p> <p>8 or control any documents responsive to</p> <p>9 request number 8? Yes or no.</p> <p>10 A. The answer is I'll look again to</p> <p>11 see if there is anything else. I'll</p> <p>12 provide it to my counsel, and I'll provide</p> <p>13 it to you.</p> <p>14 Q. Are you aware sitting here today</p> <p>15 of any documents in your possession or</p> <p>16 control responsive to request number 8?</p> <p>17 A. At this moment, no, but I don't</p> <p>18 preclude the possibility.</p> <p>19 Q. Now, each of the responses say</p> <p>20 that a "responsible search" was made for</p> <p>21 documents, right?</p> <p>22 A. That's correct.</p> <p>23 Q. Did you conduct personally a</p> <p>24 search?</p> <p>25 A. Yes, I did.</p>	<p style="text-align: right;">Page 476</p> <p>1 WILSON</p> <p>2 Q. Thank you.</p> <p>3 A. Can I ask for a five-minute</p> <p>4 bathroom break?</p> <p>5 Q. Okay.</p> <p>6 (Recess taken.)</p> <p>7 (Wilson Exhibit 23 marked for</p> <p>8 identification.)</p> <p>9 MR. MARK KLEIN: For the record,</p> <p>10 I marked -- had the reporter mark as</p> <p>11 Exhibit 23 the drawing Dr. Wilson made of</p> <p>12 his Brooklyn College office at James Hall.</p> <p>13 I'll provide you a copy of that.</p> <p>14 I am going to ask the reporter</p> <p>15 to mark as Exhibit 24 documents bearing</p> <p>16 the Bates stamp DEF 0001174 through 1178.</p> <p>17 (Wilson Exhibit 24 marked for</p> <p>18 identification.)</p> <p>19 (Document handed to witness.)</p> <p>20 Q. Dr. Wilson, I show you what has</p> <p>21 been marked as Exhibit 24. Please take a</p> <p>22 look at it. I will direct your attention</p> <p>23 to pages after you have reviewed it</p> <p>24 generally.</p> <p>25 A. Just the first one or all of</p>

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1 WILSON
2 them?
3 Q. All of them. Actually let's
4 just go page by page. It will probably
5 be easier.
6 A. Okay.
7 Q. If you look at the first page of
8 Exhibit 24.
9 A. Yes.
10 Q. It is an e-mail between Rachel
11 Nash and Peter Zwiebach, correct?
12 A. Yes.
13 Q. And Peter Zwiebach was your
14 attorney, correct?
15 A. Correct.
16 Q. And who is Rachel Nash?
17 A. Rachel Nash was legal counsel
18 for CUNY.
19 Q. And have you seen -- this
20 appears to be an e-mail sent on August 7,
21 2014, correct?
22 A. Yes.
23 Q. Have you seen this e-mail
24 before?
25 A. I don't recall.

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1 WILSON
2 Q. The second sentence of the
3 e-mail after it says, "Hi, Peter, it says
4 "I have been in touch with Brooklyn
5 College about your review of the remaining
6 boxes." Do you see that?
7 A. Yes.
8 Q. Do you know whether Mr. Zwiebach
9 reviewed some boxes prior to August 7,
10 2014?
11 A. I don't know.
12 Q. If you go to the next two pages,
13 the next two pages are e-mails exchanged
14 starting on April 6 and ending on April
15 20, 2016, correct?
16 A. Correct.
17 Q. Have you seen any of those
18 e-mails before?
19 A. Let's see. I don't
20 recall -- yes, I don't recall seeing it.
21 Q. If you go to the e-mail on page
22 1176, do you see 1176 on the bottom
23 right-hand corner?
24 A. 1176 I see it.
25 Q. That is the e-mail from Mr.

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1 WILSON
2 Zwiebach to Michael Hewitt copying you in
3 which he apologized for dropping the ball,
4 correct?
5 A. Didn't we just see this?
6 Q. That is what I said. We looked
7 at that before, right?
8 A. Yes.
9 Q. Okay.
10 A. Page 1177?
11 Q. Correct. That is an e-mail from
12 Rachel Nash to Michael Hewitt?
13 A. Uh-huh.
14 Q. And that is dated April 20,
15 2016?
16 A. Yes.
17 Q. Have you seen this e-mail
18 before?
19 A. I don't think so.
20 Q. If you go to the last page of
21 this exhibit, 1178?
22 A. Yes.
23 Q. At the bottom there is an e-mail
24 from Rachel Nash from Pam Pollack to
25 Rachel Nash, correct?

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1 WILSON
2 A. Correct.
3 Q. And it was sent on December 4,
4 2016. It says "FYI, I am waiting for the
5 chair of Africana studies to send me a
6 date. She is eager to have these items
7 removed." Do you see that?
8 A. I see that.
9 Q. And then she has a smily face.
10 Do you see that?
11 A. I see that.
12 Q. Did you understand the chairman
13 of Africana studies to be Linda Day?
14 MR. JAMES KLEIN: This wasn't
15 from him.
16 Q. I am asking if at this time the
17 chair of Africana studies was Linda Day?
18 A. I understand Linda Day was
19 chair.
20 Q. Did Ms. Day -- Professor Day
21 ever tell you that she was eager to have
22 your items removed? Yes or no.
23 A. Yes.
24 Q. When did he she tell you that?
25 A. Right around that time.

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1 WILSON
2 Q. Did she tell you why she was
3 eager to have your personal items removed?
4 A. No.
5 Q. Did you ask her?
6 A. No.
7 MR. KLEIN: I am going to ask
8 that the reporter mark --
9 A. Let me --
10 Q. There is no question pending.
11 A. Let's me amend this. Neither
12 Professor Day nor I knew what personal
13 items were, and I didn't know, and I had
14 no way of knowing until I arrived on
15 campus sometime as they made the
16 arrangements. So the answer is no.
17 Q. You just answered a question I
18 didn't ask you.
19 A. Okay.
20 MR. MARK KLEIN: I am going to
21 ask the reporter to mark as Exhibit 25 a
22 multi-page document bearing Bates stamps
23 DEF 00770 through DEF 000859.
24 (Wilson Exhibit 25 marked for
25 identification.)

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1 WILSON
2 (Document handed to witness.)
3 Q. Dr. Wilson, I show you what has
4 been marked as Exhibit 25. Obviously
5 there are many pages here. I am just
6 going to ask you to page through it and
7 generally familiarize yourself with what
8 this is.
9 MR. JAMES KLEIN: Since it is a
10 compendium, is there any way you are going
11 to characterize it for the record?
12 MR. MARK KLEIN: No. I don't
13 know what you mean by compendium.
14 MR. JAMES KLEIN: It is a
15 collection of a whole bunch of unrelated
16 documents, and it has no index or
17 contents. So I was wondering if you were
18 going to characterize it as such and such
19 documents, so I could write that down next
20 to 25, but if the answer is no then I will
21 come up with my own characterization.
22 (Pause.)
23 A. I am getting close to the end.
24 This is rather voluminous, so I want to
25 make sure I see everything.

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1 WILSON
2 (Pause.)
3 A. Okay. Now I have an
4 understanding of these documents.
5 Q. All right. Do you recall
6 seeing these documents during the course
7 of your arbitration?
8 A. No. Not during the course of
9 the arbitration.
10 Q. Do you see at the top of the
11 first page of this document it is
12 handwritten CUNY 84?
13 A. Yes, I see that.
14 Q. Does that indicate to you that
15 this was CUNY's Exhibit 84 during the
16 arbitration?
17 A. Yes.
18 Q. And were you shown CUNY Exhibit
19 84 during the course of the arbitration?
20 A. I don't really recall, but I
21 will assume that it was here.
22 Q. And this exhibit consists of
23 copies of various requests for payment
24 that you made from member organization
25 accounts at Brooklyn College, correct?

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1 WILSON
2 A. That is correct.
3 Q. For example, if you look at the
4 third page of this document, the one that
5 has the number 772 at the bottom
6 right-hand corner?
7 A. 772.
8 Q. The third page of the document.
9 Count 1, 2, 3 from the front. Have you
10 gotten to 772?
11 A. That is what it looks like.
12 Q. Okay. Good.
13 Tell me what that page is, 772?
14 A. Page 772 dated September 1, 2009
15 is an e-mail from me as director of the
16 graduate Center For Worker Education to
17 vice president for finance Steve Little.
18 If I didn't say it, I will repeat it
19 September 1, 2009.
20 Q. You did say it.
21 A. I did say it. And it says
22 "Please pay \$9,451.20 for August
23 administrative support services at the
24 Graduate Center For Worker Education 160
25 hours at \$59.07 per hour."

<p style="text-align: right;">Page 485</p> <p>1 WILSON</p> <p>2 A. That is what it says.</p> <p>3 Q. So this is a request for payment</p> <p>4 of \$9,451.20 to you, correct?</p> <p>5 A. That is correct. Payments to</p> <p>6 me.</p> <p>7 Q. And that was for according to</p> <p>8 the re line in this document</p> <p>9 "Administrative support services/GCWE",</p> <p>10 right?</p> <p>11 A. That is correct.</p> <p>12 Q. Okay. And if you look at the</p> <p>13 prior page, the one before page 2 of this</p> <p>14 document 771, there is a -- a memo from</p> <p>15 Steve Little, correct?</p> <p>16 A. Let's see. Yes.</p> <p>17 Q. And have you seen that memo</p> <p>18 before?</p> <p>19 A. I don't recall seeing it.</p> <p>20 Q. This memo relates to payment of</p> <p>21 the invoice that you submitted that we</p> <p>22 just talked about on page 772, correct?</p> <p>23 A. Yes. On 772, correct.</p> <p>24 Q. Okay. Now, next to the amount</p> <p>25 on this page, it says in parentheses</p>	<p style="text-align: right;">Page 487</p> <p>1 WILSON</p> <p>2 for payment that you made --</p> <p>3 A. Right.</p> <p>4 Q. -- through the membership -- the</p> <p>5 member organization account Graduate</p> <p>6 Center For Worker Education, correct?</p> <p>7 A. Correct.</p> <p>8 Q. By the way, going back to 772</p> <p>9 for a second.</p> <p>10 A. 772.</p> <p>11 Q. You asked for payment of</p> <p>12 \$9,451.20, 160 hours at \$59.07 an hour,</p> <p>13 correct?</p> <p>14 A. Correct.</p> <p>15 Q. Where did you get that \$59.07 an</p> <p>16 hour rate?</p> <p>17 A. That rate was provided by the</p> <p>18 college. I was instructed that that is</p> <p>19 the rate I should request for payment for</p> <p>20 nonteaching work.</p> <p>21 Q. And who instructed you to do</p> <p>22 that?</p> <p>23 A. That would have been human</p> <p>24 resources and the Office of Business and</p> <p>25 Fiscal Services.</p>
<p style="text-align: right;">Page 486</p> <p>1 WILSON</p> <p>2 "Return check to Jay Fogerty." Do you see</p> <p>3 that?</p> <p>4 A. I see that.</p> <p>5 Q. Who is Jay Fogerty?</p> <p>6 A. Jay Fogerty to the best of my</p> <p>7 recollection was a long-time secretary in</p> <p>8 the Department of Business and Fiscal</p> <p>9 Services, who was Michael Hewitt's</p> <p>10 secretary for many years. So that is</p> <p>11 where the check would have been sent.</p> <p>12 Q. Is there a reason the check</p> <p>13 wasn't sent to your home?</p> <p>14 A. That is just the arrangement</p> <p>15 that the college made.</p> <p>16 Q. You didn't ask for the check to</p> <p>17 be sent to Jay Fogerty?</p> <p>18 A. I wouldn't have known Jay</p> <p>19 Fogerty to that extent. So no, I don't</p> <p>20 recall asking it to be sent to Jay</p> <p>21 Fogerty.</p> <p>22 Q. The rest of this document, and</p> <p>23 you paged through it page by page --</p> <p>24 A. Yes.</p> <p>25 Q. -- consists of other requests</p>	<p style="text-align: right;">Page 488</p> <p>1 WILSON</p> <p>2 Q. Now, you paged through each of</p> <p>3 these requests that consists of pages 770</p> <p>4 through 859, about 90 pages of requests,</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. And these requests relate to</p> <p>8 tens of thousands of dollars of requests</p> <p>9 for payment --</p> <p>10 MR. JAMES KLEIN: Object to</p> <p>11 form.</p> <p>12 MR. MARK KLEIN: You</p> <p>13 interrupted me again.</p> <p>14 Q. Does this this request, these</p> <p>15 requests relate to hundreds of thousands</p> <p>16 of dollars of requests for payment that</p> <p>17 you made from the member organization</p> <p>18 account in the name of the graduate center</p> <p>19 for worker education?</p> <p>20 MR. JAMES KLEIN: I object as</p> <p>21 to form.</p> <p>22 A. If you are talking about over a</p> <p>23 period of a number years, I haven't</p> <p>24 calculated the total.</p> <p>25 Q. Well, we saw one request that</p>

47 (Pages 485 - 488)

<p style="text-align: right;">Page 489</p> <p>1 WILSON</p> <p>2 was in the amount of \$9,451.20, right?</p> <p>3 A. In one month. Right.</p> <p>4 Q. In one month. And so you</p> <p>5 haven't calculated the total. So you're</p> <p>6 telling me you don't know how much is</p> <p>7 encompassed by this entire document; is</p> <p>8 that right?</p> <p>9 MR. JAMES KLEIN: I am</p> <p>10 objecting. That mischaracterizes earlier</p> <p>11 testimony, and I object as to form.</p> <p>12 A. I am telling you I haven't</p> <p>13 calculated the total.</p> <p>14 Q. Okay. Now, I show you what was</p> <p>15 marked as an exhibit yesterday, Exhibit</p> <p>16 32 -- I'm sorry. Exhibit 8, which was</p> <p>17 CUNY 32 at the arbitration. Do you</p> <p>18 remember that?</p> <p>19 A. Yes.</p> <p>20 Q. These are copies of multiple</p> <p>21 position reports that you submitted,</p> <p>22 correct?</p> <p>23 A. These are not copies -- well, I</p> <p>24 don't know if it is correct or not</p> <p>25 actually.</p>	<p style="text-align: right;">Page 491</p> <p>1 WILSON</p> <p>2 A. Repeat the question.</p> <p>3 Q. In any of the multiple position</p> <p>4 forms that have been marked as Defendants'</p> <p>5 Exhibit -- Wilson Exhibit 8, in any of</p> <p>6 those multiple position reports did you</p> <p>7 disclose your receipt of payments from the</p> <p>8 member organization account of the</p> <p>9 Graduate Center For Worker Education</p> <p>10 reflected by the documents that are part</p> <p>11 of Wilson Exhibit 25? Yes or no.</p> <p>12 A. Yes and no.</p> <p>13 Q. Okay. How did you -- how did</p> <p>14 you disclose it?</p> <p>15 A. First for the record these</p> <p>16 documents are incomplete because they</p> <p>17 don't include my summer salaries. There</p> <p>18 is nothing here, and the summer salaries</p> <p>19 would have been approximately \$40,0000.</p> <p>20 Those would have been signed off by the</p> <p>21 provost. I don't see that here. So</p> <p>22 that would -- so that is first.</p> <p>23 Q. Besides the summer salaries, did</p> <p>24 you disclose in any of the member --</p> <p>25 MR. MARK KLEIN: Withdrawn.</p>
<p style="text-align: right;">Page 490</p> <p>1 WILSON</p> <p>2 Q. You don't know whether these are</p> <p>3 copies of multiple position reports that</p> <p>4 you submitted?</p> <p>5 A. These seem to be incomplete.</p> <p>6 Q. That is not what I asked. I</p> <p>7 asked are these multiple position reports</p> <p>8 that you submitted, Dr. Wilson. Let's</p> <p>9 see if you can answer a straightforwards</p> <p>10 question with a strait answer. Yes or</p> <p>11 no. Is the answer yes?</p> <p>12 A. Yes.</p> <p>13 Q. On any of these multiple</p> <p>14 position reports did you disclose the</p> <p>15 payments that you were receiving as</p> <p>16 indicated by Exhibit 25?</p> <p>17 MR. JAMES KLEIN: Object as to</p> <p>18 form.</p> <p>19 A. What is exhibit 25?</p> <p>20 Q. This.</p> <p>21 A. This?</p> <p>22 Q. Yes.</p> <p>23 A. So the first point, this is --</p> <p>24 Q. Can you answer the question,</p> <p>25 sir?</p>	<p style="text-align: right;">Page 492</p> <p>1 WILSON</p> <p>2 Q. Besides the summer salaries, did</p> <p>3 you disclose in the multiple position</p> <p>4 reports that are in part of Exhibit 8,</p> <p>5 Wilson Exhibit 8, any of the requests for</p> <p>6 payment that you made that appear in</p> <p>7 Wilson Exhibit 25?</p> <p>8 MR. JAMES KLEIN: I object as</p> <p>9 to form.</p> <p>10 MR. MARK KLEIN: What is the</p> <p>11 basis for the objection?</p> <p>12 MR. JAMES KLEIN: You gave him</p> <p>13 a 90-page document, and now you are asking</p> <p>14 if some other document refers to anything</p> <p>15 in those 90 pages. I mean it is totally</p> <p>16 absurd.</p> <p>17 MR. MARK KLEIN: Your objection</p> <p>18 IS noted. Thank you.</p> <p>19 Q. Can you answer the question, Dr.</p> <p>20 Wilson?</p> <p>21 A. Repeat the question.</p> <p>22 Q. In Wilson Exhibit 8, the</p> <p>23 multiple position reports that you</p> <p>24 submitted that are included in Exhibit 8,</p> <p>25 did you disclose the payment requests that</p>

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1 WILSON
2 appear in Exhibit 25 putting aside any
3 requests for payment you made with respect
4 to summer salary?
5 A. Well, if you look at Exhibit 8,
6 if you look at line 2, page B or letter B.
7 Q. What page are you looking at?
8 A. Let's see.
9 MR. JAMES KLEIN: You are on
10 the first page.
11 A. The first page.
12 Q. 571?
13 A. I don't see a page number on my
14 page.
15 MR. JAMES KLEIN: I think it
16 might be covered by the stamp.
17 Q. You are looking at the first
18 page.
19 A. Let me point to it. Yes.
20 Q. Yes. Right.
21 A. Right.
22 Q. So where it says in addition to
23 my regular full-time assignment at the
24 college, I have supplementary compensated
25 or uncompensated employment, consultative

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1 WILSON
2 or other work including grant-funded
3 activities outside of CUNY for which
4 complete information follows." So the
5 answer is that being a director was part
6 of for 15 years my full-time
7 responsibilities from September to May.
8 So I didn't need to report these on this
9 form. My understanding and the
10 interpretation that I knew, and my counsel
11 at that time made this argument, if it is
12 part of your regular duties, and I was
13 appointed by the provost, then obviously
14 the provost knows what I am getting paid
15 because the provost appointed me to that
16 position. However -- well, that
17 is -- and so it wasn't required for me to
18 report that as part of my regular duties.
19 Q. So the shorthand answer that you
20 just gave is no, you didn't report it on
21 your multiple position reports because you
22 didn't think you had to because your being
23 a director of the Graduate Center for
24 Worker Education was a full-time
25 assignment, and, therefore, you didn't

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1 WILSON
2 have to disclose it in these reports?
3 A. I will make it even shorter for
4 you.
5 Q. Answer my question though. It
6 wasn't required according to you?
7 A. Correct.
8 Q. And you made that argument at
9 the arbitration, correct?
10 A. Correct.
11 Q. And your attorney Mr. Zwiebach
12 made that arguments at the arbitration,
13 correct?
14 A. Correct.
15 Q. And the arbitrator rejected that
16 argument, correct?
17 A. I don't know.
18 Q. You don't know.
19 Let me ask you a few more
20 questions about Exhibit 25. If you could
21 go to page 814.
22 A. In which document?
23 Q. 814.
24 MR. JAMES KLEIN: It is the
25 other document, the big one.

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1 WILSON
2 A. This one.
3 Q. In Exhibit 25, do you have
4 Exhibit 25?
5 A. 25. If you look -- this is 25
6 you said.
7 Q. Yes.
8 A. That is what I am looking at.
9 Q. Okay. If you could go to page
10 814 if you look at the --
11 A. 8 --
12 Q. If you look in the lower
13 right-hand corner.
14 A. Got it.
15 Q. 814.
16 A. Okay. Page 814.
17 Q. All right. Now, this is
18 another invoice that you sent to Steve
19 Little; is that right?
20 A. That is correct.
21 Q. And this one is dated November
22 4, 2010?
23 A. That is correct.
24 Q. And you're asking for \$4,725 for
25 October 2010 for administrative support

<p style="text-align: right;">Page 497</p> <p>1 WILSON</p> <p>2 services for the graduate Center For</p> <p>3 Worker Education, correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And you have there a nonteaching</p> <p>6 rate of \$67.50, correct?</p> <p>7 A. That's correct.</p> <p>8 Q. The one we looked at before had</p> <p>9 a nonteaching rate of \$59.07, right?</p> <p>10 A. I would have to look at it</p> <p>11 again, but I assume you are correct.</p> <p>12 Q. What accounts for the different</p> <p>13 nonteaching rate?</p> <p>14 A. Where is the first reference,</p> <p>15 and maybe I can explain it? What page is</p> <p>16 it?</p> <p>17 Q. On the third page of the</p> <p>18 document.</p> <p>19 A. Hold on. What accounts for it?</p> <p>20 My understanding is there there was a</p> <p>21 change in the collective bargaining</p> <p>22 agreement, and the college increased its</p> <p>23 rate from the previous year to the</p> <p>24 following year the rate that they paid for</p> <p>25 nonteaching work.</p>	<p style="text-align: right;">Page 499</p> <p>1 WILSON</p> <p>2 A. That would have been the</p> <p>3 department chair Sally Bermanson.</p> <p>4 Q. Now, on the upper right-hand</p> <p>5 corner of the document, there is some</p> <p>6 handwriting in quotations. Do you see</p> <p>7 that?</p> <p>8 A. I do. I see that.</p> <p>9 Q. And it appears to say, and</p> <p>10 correct me if you read it differently, "do</p> <p>11 not take benefits." Do you see that?</p> <p>12 A. I see that.</p> <p>13 Q. Did you write that?</p> <p>14 A. I believe so, yes.</p> <p>15 Q. And why did you write "do not</p> <p>16 take benefits"?</p> <p>17 A. That has to do with withholding</p> <p>18 of taxes that the college withholds on</p> <p>19 payments that they make after it goes</p> <p>20 through review from HR and business and</p> <p>21 fiscal accounting.</p> <p>22 Q. Why were you asking not to take</p> <p>23 benefits?</p> <p>24 A. I don't recall -- I do recall.</p> <p>25 I was instructed by the Office of Business</p>
<p style="text-align: right;">Page 498</p> <p>1 WILSON</p> <p>2 Q. All right. If you could go to</p> <p>3 page 830 in Exhibit 25.</p> <p>4 A. 830. Yes.</p> <p>5 Q. 830 is a document entitled "Time</p> <p>6 Sheet," right?</p> <p>7 A. Yes.</p> <p>8 Q. And is this time sheet filled</p> <p>9 out in your handwriting?</p> <p>10 A. Yes, it is. Well, yes, I</p> <p>11 signed it.</p> <p>12 Q. Well, did you -- the time sheet</p> <p>13 itself has dates and time arrived and time</p> <p>14 departed?</p> <p>15 A. Yes.</p> <p>16 Q. And the total hours, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Did you fill out that part of</p> <p>19 the time sheet? Is that in your</p> <p>20 handwriting?</p> <p>21 A. I am not sure, but I signed it.</p> <p>22 Q. And there is a department</p> <p>23 chairman who signed it, right?</p> <p>24 A. That's correct.</p> <p>25 Q. And who is that?</p>	<p style="text-align: right;">Page 500</p> <p>1 WILSON</p> <p>2 and Fiscal Services to put that on</p> <p>3 the -- on the form, and I am not sure why,</p> <p>4 but I was instructed to do that, as I</p> <p>5 recall.</p> <p>6 Q. Who at the office of Business</p> <p>7 and Fiscal Services instructed you to put</p> <p>8 that on the form?</p> <p>9 A. I don't recall, but one of their</p> <p>10 staff members.</p> <p>11 Q. And you don't recall the name of</p> <p>12 the person; is that right?</p> <p>13 A. There were several people, and</p> <p>14 it could have been one of several. I</p> <p>15 know several names that I could provide to</p> <p>16 you that I remember at this moment.</p> <p>17 Q. Do you know who told you to put</p> <p>18 that on the form?</p> <p>19 A. I can give you some</p> <p>20 possibilities.</p> <p>21 Q. I am not asking you for</p> <p>22 possibilities. I am asking who told you</p> <p>23 to put that on the form.</p> <p>24 A. I -- I can give you a couple of</p> <p>25 names, but I don't know. So the answer</p>

<p style="text-align: right;">Page 501</p> <p>1 WILSON</p> <p>2 is I am not sure.</p> <p>3 Q. Okay. If you could go to 833.</p> <p>4 Q. 833, yes.</p> <p>5 A. Okay.</p> <p>6 Q. 833 is another time sheet that</p> <p>7 you signed, right?</p> <p>8 A. Yes.</p> <p>9 Q. Did you fill out the information</p> <p>10 on the time sheet besides signing it?</p> <p>11 A. No.</p> <p>12 Q. Do you know who did?</p> <p>13 A. Annie London.</p> <p>14 Q. Do you recognize her</p> <p>15 handwriting?</p> <p>16 A. I don't recognize her</p> <p>17 handwriting, but she would have completed</p> <p>18 my time sheets.</p> <p>19 Q. On the upper right-hand corner</p> <p>20 of the document, we are looking at page</p> <p>21 833 of Exhibit 25. It says "children</p> <p>22 services - 4729." Do you see that?</p> <p>23 A. I see that.</p> <p>24 Q. What is children services?</p> <p>25 A. That would have been related to</p>	<p style="text-align: right;">Page 503</p> <p>1 WILSON</p> <p>2 Q. So you're telling me you don't</p> <p>3 know whether notwithstanding what you</p> <p>4 testified a few moments ago you are not</p> <p>5 sure that the reference to children</p> <p>6 services is to a grant from the New York</p> <p>7 City Office of Family and Children</p> <p>8 Services?</p> <p>9 MR. JAMES KLEIN: I am going to</p> <p>10 object. That mischaracterizes the</p> <p>11 testimony. He didn't testify that it</p> <p>12 was. He testified he wasn't sure, and</p> <p>13 then you added additional information.</p> <p>14 MR. MARK KLEIN: You can make</p> <p>15 your objection as to form Mr. Klein. You</p> <p>16 were making another speaking objection,</p> <p>17 which is improper. I don't want to get</p> <p>18 the judge on the phone again.</p> <p>19 Q. Are you saying, Dr. Wilson, that</p> <p>20 you don't know thhat the reference to</p> <p>21 children services is a reference to a</p> <p>22 grant from the New York City Office of</p> <p>23 Family and Children Services?</p> <p>24 A. What I am saying this may have</p> <p>25 been the state office that provides these</p>
<p style="text-align: right;">Page 502</p> <p>1 WILSON</p> <p>2 an account set up for a specific grant to</p> <p>3 provide services for one of the programs I</p> <p>4 was running.</p> <p>5 Q. And who was that grant from?</p> <p>6 A. That would have been from the</p> <p>7 children's services -- I believe that</p> <p>8 would have been -- it could have been</p> <p>9 from -- I am not sure exactly.</p> <p>10 Q. Are you familiar with a grant</p> <p>11 from the Office of Family and Children's</p> <p>12 Services?</p> <p>13 A. That would have been it.</p> <p>14 Q. And that was a New York City</p> <p>15 entity that provided funds to provide</p> <p>16 services for disadvantaged families and</p> <p>17 children in New York City?</p> <p>18 A. I am not sure of their</p> <p>19 mission, but that is where it came from.</p> <p>20 Q. You are not sure of the mission</p> <p>21 of the New York City Office of Family and</p> <p>22 Children Service?</p> <p>23 A. I am not sure that is precisely</p> <p>24 where it came from. I actually have a</p> <p>25 different understanding of it.</p>	<p style="text-align: right;">Page 504</p> <p>1 WILSON</p> <p>2 services and not the city office to my</p> <p>3 recollection as I am thinking about it</p> <p>4 now.</p> <p>5 Q. Well, you got a grant that -- a</p> <p>6 moment ago you said you were in charge of</p> <p>7 supervising this, right?</p> <p>8 A. Let me amend that. The College</p> <p>9 received a grant. I didn't get the</p> <p>10 grant, so that had to be clarified. The</p> <p>11 College received it.</p> <p>12 Q. That is actually a very helpful</p> <p>13 clarification. The College got a grant,</p> <p>14 and you were put in charge of</p> <p>15 administering that grant, right?</p> <p>16 A. That is correct.</p> <p>17 Q. What was the purpose of that</p> <p>18 grant?</p> <p>19 A. The purpose of the grant, which</p> <p>20 is exactly what happened, was to support</p> <p>21 African American students to provide in</p> <p>22 this instance counseling and social work</p> <p>23 services and mentoring services.</p> <p>24 Q. And were you a principal</p> <p>25 investigator with regard to that grant?</p>

51 (Pages 501 - 504)

<p style="text-align: right;">Page 505</p> <p>1 WILSON</p> <p>2 A. Yes, I was.</p> <p>3 Q. Was there another principal</p> <p>4 investigator, a co principal investigator?</p> <p>5 A. Not to my recollection.</p> <p>6 Q. Was Noel Anderson a coprincipal</p> <p>7 investigator?</p> <p>8 A. He may have been, but I don't</p> <p>9 remember that.</p> <p>10 Q. Now, I made reference yesterday</p> <p>11 to an entity called Manhattan Institute of</p> <p>12 Management, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And that is an entity that made</p> <p>15 money for the use of the Graduate Center</p> <p>16 For Worker Education during the day; is</p> <p>17 that right?</p> <p>18 A. That is an entity that paid to</p> <p>19 use the Graduate Center For Worker</p> <p>20 Education for 30 years predating my</p> <p>21 directorship and following my</p> <p>22 directorship. That is correct.</p> <p>23 Q. Well, again you answered a</p> <p>24 question I didn't ask, but did you</p> <p>25 negotiate agreements with Manhattan</p>	<p style="text-align: right;">Page 507</p> <p>1 WILSON</p> <p>2 arbitration were -- is a series of your</p> <p>3 requests for disbursement from that</p> <p>4 account for payments to you, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. Now, another --</p> <p>7 A. But let me just clarify --</p> <p>8 Q. You've answered the question.</p> <p>9 A. No, this is the same question.</p> <p>10 I am amending it. You said the payments</p> <p>11 went to this account, to the worker</p> <p>12 education account. The college</p> <p>13 administration took money from that</p> <p>14 account on a quarterly basis, so they</p> <p>15 didn't simply go to work for the the</p> <p>16 Graduate Center for Worker Education.</p> <p>17 They went to college administration</p> <p>18 including Karen Gould. They went into</p> <p>19 their -- into the president's account and</p> <p>20 their general disbursement account. So</p> <p>21 no, it didn't go to just this account.</p> <p>22 It went to other accounts as well.</p> <p>23 Q. Did you make that argument at</p> <p>24 the arbitration?</p> <p>25 A. I don't recall.</p>
<p style="text-align: right;">Page 506</p> <p>1 WILSON</p> <p>2 Institute of Management for their use of</p> <p>3 the Graduate Center For Worker Education?</p> <p>4 Yes or no.</p> <p>5 A. With the approval of legal</p> <p>6 counsel Pam Pollack and the executive vice</p> <p>7 president for finance at Brooklyn College,</p> <p>8 yes.</p> <p>9 Q. So you negotiated agreements,</p> <p>10 right?</p> <p>11 A. With their approval and review,</p> <p>12 yes.</p> <p>13 Q. And where did the monies that</p> <p>14 Manhattan Institute of Management paid for</p> <p>15 the use of the Graduate Center For Worker</p> <p>16 Education go?</p> <p>17 A. They didn't go to me personally.</p> <p>18 They went to Brooklyn College.</p> <p>19 Q. And the monies were deposited in</p> <p>20 the member organization account for the</p> <p>21 Graduate Center For Worker Education,</p> <p>22 correct?</p> <p>23 A. That is correct.</p> <p>24 Q. And Wilson Exhibit 25, which was</p> <p>25 Exhibit 84, CUNY Exhibit 84 at the</p>	<p style="text-align: right;">Page 508</p> <p>1 WILSON</p> <p>2 Q. If you did, did the arbitrator</p> <p>3 reject the argument?</p> <p>4 MR. JAMES KLEIN: It calls for</p> <p>5 speculation.</p> <p>6 A. I don't recall, but --</p> <p>7 Q. There is no question.</p> <p>8 A. I don't recall.</p> <p>9 Q. There is no question, Dr.</p> <p>10 Wilson?</p> <p>11 A. You --</p> <p>12 Q. I am not interested in</p> <p>13 filibustering. I am interested in you</p> <p>14 answering my questions. Did you also</p> <p>15 negotiate agreements with something called</p> <p>16 ESRA Film School of New York?</p> <p>17 A. With the approval of the</p> <p>18 college, yes, I did.</p> <p>19 MR. MARK KLEIN: I am going to</p> <p>20 ask the court reporter to mark as Wilson</p> <p>21 Exhibit 26 a document bearing the Bates</p> <p>22 stamp DEF 376.</p> <p>23 (Wilson Exhibit 26 marked for</p> <p>24 identification.)</p> <p>25 (Document handed to witness.)</p>

52 (Pages 505 - 508)

<p style="text-align: right;">Page 509</p> <p>1 WILSON</p> <p>2 Q. Dr. Wilson, I show you what has</p> <p>3 been marked as Exhibit 26. Please review</p> <p>4 it and tell me when you have done so.</p> <p>5 (Pause.)</p> <p>6 A. Yes, I recognize this.</p> <p>7 Q. Did you negotiate this</p> <p>8 Memorandum of Understanding between the</p> <p>9 Graduate Center For Worker Education and</p> <p>10 ERSA Film School of New York?</p> <p>11 A. Yes, I did with full approval of</p> <p>12 Brooklyn College administration.</p> <p>13 Q. And you signed this, right?</p> <p>14 A. On behalf of the Brooklyn</p> <p>15 College administration.</p> <p>16 Q. Actually you signed it in your</p> <p>17 capacity as director GWCE, correct?</p> <p>18 A. Appointed by the Brooklyn</p> <p>19 College administration.</p> <p>20 Q. And this is dated April 6, 2011,</p> <p>21 correct, your signature?</p> <p>22 A. That's correct.</p> <p>23 Q. And the monies from ESRA Film</p> <p>24 School that they paid for the use of the</p> <p>25 Graduate Center For Worker Education also</p>	<p style="text-align: right;">Page 511</p> <p>1 WILSON</p> <p>2 Q. Is it a corporation?</p> <p>3 A. No.</p> <p>4 Q. Is it any other kind of legal</p> <p>5 entity?</p> <p>6 A. Well, it is an entity that was</p> <p>7 recognized by the board of trustees as an</p> <p>8 institution.</p> <p>9 Q. How did the board of trustees</p> <p>10 recognize it as an institution?</p> <p>11 A. By resolution of the full board</p> <p>12 of trustees and by approval of the</p> <p>13 chairman of the board of trustees.</p> <p>14 MR. MARK KLEIN: I am going to</p> <p>15 ask the reporter to mark as Wilson Exhibit</p> <p>16 27 a document bearing the Bates stamps,</p> <p>17 and it appears that part of the stamp has</p> <p>18 been cut off in the copying, but it</p> <p>19 appears to be DEF 613 and 614.</p> <p>20 (Wilson Exhibit 27 marked for</p> <p>21 identification.)</p> <p>22 (Document handed to witness.)</p> <p>23 Q. Dr. Wilson, I show you what has</p> <p>24 been marked as Exhibit 27. Please review</p> <p>25 it and tell me when you have done so.</p>
<p style="text-align: right;">Page 510</p> <p>1 WILSON</p> <p>2 went into the member organization accounts</p> <p>3 for the Graduate Center For Worker</p> <p>4 Education, correct?</p> <p>5 A. And also went into Karen Gould</p> <p>6 and other administrator's accounts,</p> <p>7 correct, and was fully audited.</p> <p>8 Q. Dr. Wilson, if you could just</p> <p>9 answer my questions, you'll have the</p> <p>10 opportunity later in this case to make</p> <p>11 your points, but you are not answering my</p> <p>12 questions, so I would appreciate if you</p> <p>13 could do that. Just exercise a little</p> <p>14 discipline and answer what you are being</p> <p>15 asked. Okay.</p> <p>16 Now, Exhibit 26 is not a</p> <p>17 Memorandum of Understanding between</p> <p>18 Brooklyn College and the ESRA Film School</p> <p>19 of New York, is it?</p> <p>20 A. The graduate Center For Worker</p> <p>21 Education is a part of Brooklyn College.</p> <p>22 Q. Does the Graduate Center For</p> <p>23 Worker Education have any status as a</p> <p>24 legal entity to your knowledge?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 512</p> <p>1 WILSON</p> <p>2 (Pause.)</p> <p>3 A. Page 2 appears to be -- yes. I</p> <p>4 see it. There is one name on it.</p> <p>5 Q. Do you recall seeing Exhibit 27</p> <p>6 before?</p> <p>7 A. I do.</p> <p>8 Q. This was an exhibit at the</p> <p>9 arbitration, was it not?</p> <p>10 A. Yes, it was.</p> <p>11 Q. And it is noted at the top it</p> <p>12 was CUNY Exhibit 32 A. Do you see that?</p> <p>13 A. That's correct.</p> <p>14 Q. Do you recall seeing Exhibit 32</p> <p>15 A at the arbitration?</p> <p>16 A. I do.</p> <p>17 Q. Now, at the bottom of the page,</p> <p>18 there is an e-mail sent on December 23,</p> <p>19 2009 to Eleanor Ortiz, correct?</p> <p>20 A. Correct.</p> <p>21 Q. And who is Jerry -- that e-mail</p> <p>22 was from Jerry Mirotznik,</p> <p>23 M-I-R-O-T-Z-N-I-K?</p> <p>24 A. Mirotznik.</p> <p>25 Q. Thank you. Who is Mr.</p>

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1 WILSON
2 Mirotznik?
3 A. He was a provost at Brooklyn
4 College.
5 Q. And who is Elenor Ortiz,
6 O-R-T-I-Z?
7 A. I believe Elenor, in fact I am
8 sure Elenor was -- was Mr. Mirotznik's
9 secretary.
10 Q. Okay. And Ms. Ortiz forwarded
11 Mr. Mirotznik's e-mail to you on January
12 4, 2010, correct?
13 A. That is correct.
14 Q. And then in fact Ms. Ortiz
15 forwarded the e-mail to you and Noel
16 Anderson, right?
17 A. That is correct.
18 Q. And at the top of the first page
19 of Exhibit 27, there is an e-mail sent on
20 January 4, 2010 from Noel Anderson to you,
21 right?
22 A. That is correct.
23 Q. And in that e-mail Noel Anderson
24 says, "Hey, Joe, these seem odd to me
25 since we did winter session last year.

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1 WILSON
2 Why/how does it change now? You and I need
3 to think about how to build in our
4 financial compensation even if through the
5 BC Foundation given all this work we are
6 doing." Do you see that, sir?
7 A. I see that.
8 Q. Did you and Mr. Anderson think
9 about how to build in your financial
10 compensation even if through the BC
11 Foundation?
12 A. Yes, we did.
13 Q. And what did you do?
14 A. We checked with the Brooklyn
15 College Foundation and the office that
16 controls all of the financing and the top
17 financial offices at Brooklyn College and
18 whatever agreement resulted, and the issue
19 was apparently the policy changed for a
20 winter multiple position, but my -- that
21 year they eliminated winter, but there was
22 some issue that I don't recall, but the
23 previous year it was winter, and then the
24 following year they didn't have winter,
25 and so it became an issue. So everything

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1 WILSON
2 was routed through the financial
3 leadership and then approved by HR by
4 human resources.
5 Q. Are you aware of any documents
6 that support the testimony you just gave?
7 A. I am aware of the testimony in
8 arbitration by Beth Levine and by Lisa
9 DeStefano where Beth Levine said that
10 everything was approved, every check that
11 went through Brooklyn College Foundation
12 issued to me was approved directly by the
13 vice president for finance, who reported
14 to the president, and according to her
15 testimony with the full knowledge of the
16 president and the provost, and, secondly,
17 I am aware that Lisa DeStefano an official
18 in the Office of Business and Fiscal
19 Services said that her office maintained
20 the funds, but the funds were actually
21 controlled by human resources, and no
22 funds could be disbursed by a single
23 office to me without the approval of human
24 resources, and human resources was led by
25 Mr. Michael Hewitt, who had the express

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1 WILSON
2 authority as being the president's labor
3 designee to modify and approve any
4 contracts that went out in all -- and all
5 of this was done under contract, under
6 review by contracts issued with their
7 approval that they drew up.
8 Q. And you made these arguments at
9 the arbitration, correct?
10 A. I'm not sure.
11 Q. Other than --
12 A. No, actually that is incorrect.
13 That is incorrect because at the time of
14 arbitration Michael Hewitt withheld
15 information about his role as being the
16 president's labor designee and his direct
17 role and knowledge of my payments for over
18 a decade because he personally provided
19 the -- now I am forgetting the name of his
20 secretary that we referred to.
21 MR. JAMES KLEIN: Ortiz.
22 THE WITNESS: Ms. Ortiz. No.
23 MR. MARK KLEIN: Counsel, wait.
24 A. No, but it is in these
25 documents. We can go back and find it.

<p>Page 517</p> <p>1 WILSON</p> <p>2 Q. My question to you, sir, is:</p> <p>3 Other than the arbitration testimony that</p> <p>4 you referred to, are you aware of any</p> <p>5 documentation reflecting that, what you</p> <p>6 testified to?</p> <p>7 A. Yes, I am aware that the college</p> <p>8 has ample documentation that Michael</p> <p>9 Hewitt was the president's labor designee,</p> <p>10 and he withheld that information, and he</p> <p>11 had the exclusive ability to review and</p> <p>12 approve any contracts and payments, which</p> <p>13 he did in every instance in my case, and</p> <p>14 it -- and so that is my -- and I didn't</p> <p>15 know that at the time of arbitration or I</p> <p>16 was aware of it. I knew he was head of</p> <p>17 HR, and I knew he approved everything, but</p> <p>18 I didn't also know he had the dual titles</p> <p>19 as president's labor designee officially</p> <p>20 with the specific designation of approving</p> <p>21 and reviewing -- including waiving any</p> <p>22 collective bargaining agreements</p> <p>23 superseding multiple positions as well.</p> <p>24 Q. Mr. Hewitt testified at the</p> <p>25 arbitration, right?</p>	<p>Page 519</p> <p>1 WILSON</p> <p>2 Q. And what was the project that</p> <p>3 was being administered by the Taft</p> <p>4 Institute grant?</p> <p>5 A. Well, as I recall, there were</p> <p>6 different projects, but one was we were</p> <p>7 working on a documentary film for high</p> <p>8 school educators, and, number 2, there was</p> <p>9 a research project that was being</p> <p>10 conducted by the new leadership. I don't</p> <p>11 remember the full name of the leadership</p> <p>12 organization, and they were attempting to</p> <p>13 have an impact on recidivism, as I recall</p> <p>14 it in the African American community, so</p> <p>15 that is my recollection.</p> <p>16 Q. Do you know what the amount of</p> <p>17 the Taft Institute grant was?</p> <p>18 A. Off -- off the top of my head I</p> <p>19 don't recall the amount.</p> <p>20 Q. And what was your role as a</p> <p>21 grant administrator?</p> <p>22 A. My role was to review the</p> <p>23 expenditures and the research results and</p> <p>24 the results of the work that the center</p> <p>25 for new leadership did to make sure that</p>
<p>Page 518</p> <p>1 WILSON</p> <p>2 A. Yes, he did.</p> <p>3 Q. And your counsel cross-examined</p> <p>4 him; is that right?</p> <p>5 A. Yes, he did.</p> <p>6 Q. All right. Are you familiar</p> <p>7 with something called the Taft Institute?</p> <p>8 A. Yes, I am.</p> <p>9 Q. What is the Taft Institute?</p> <p>10 A. The Taft Institute was an</p> <p>11 educational research institute, and it was</p> <p>12 located at -- in Queens College.</p> <p>13 Q. And did the Taft Institute give</p> <p>14 a grant to Brooklyn College?</p> <p>15 A. I'm not sure.</p> <p>16 Q. Well, did you have any role in</p> <p>17 disbursing monies provided by the Taft</p> <p>18 Institute?</p> <p>19 A. Yes, I did.</p> <p>20 Q. What was your role?</p> <p>21 A. I believe I was a project</p> <p>22 director working with the directors of the</p> <p>23 Taft Institute, so I was a grant</p> <p>24 administrator and researcher primarily for</p> <p>25 the Taft Institute.</p>	<p>Page 520</p> <p>1 WILSON</p> <p>2 the funds that they spent were</p> <p>3 appropriately expended.</p> <p>4 MR. MARK KLEIN: I ask that the</p> <p>5 reporter mark as Wilson Exhibit 28 a</p> <p>6 document bearing the Bates stamp DEF 656.</p> <p>7 (Wilson Exhibit 28 marked for</p> <p>8 identification.)</p> <p>9 (Document handed to witness.)</p> <p>10 Q. Dr. Wilson, I show you what has</p> <p>11 been marked as Exhibit 28. Please review</p> <p>12 the document and tell me when you have</p> <p>13 done so.</p> <p>14 (Pause.)</p> <p>15 A. I have done so.</p> <p>16 Q. Have you seen this document</p> <p>17 before?</p> <p>18 A. Yes, I have.</p> <p>19 Q. This was Exhibit CUNY 35 C at</p> <p>20 the arbitration, correct?</p> <p>21 A. Correct.</p> <p>22 Q. And this was a copy of the front</p> <p>23 and back of a check made payable to you in</p> <p>24 the amount of \$252.46?</p> <p>25 A. That's correct.</p>

55 (Pages 517 - 520)

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1 WILSON
2 Q. And it says on the front of the
3 check where it says "for", F-O-R,
4 "reimbursement holiday event and staff
5 fee." Do you see that?
6 A. That's correct.
7 Q. Who signed this check?
8 A. I did.
9 Q. So you sign a check to yourself
10 for a holiday event and staff fee, right?
11 A. That's correct.
12 Q. What was the staff fee?
13 A. For the holiday event I am
14 assuming -- and then I don't recall the
15 detail because I don't have any supporting
16 documents here because all of my
17 supporting documents were confiscated, but
18 that would have been for fee services for
19 music or to have staff there, and I can't
20 remember which event, but it probably
21 would have been at the Graduate Center For
22 Worker Education, and we have to have
23 staff, and we have to pay our people. So
24 I paid the people, and this was
25 reimbursement. So that is what it was,

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1 WILSON
2 as I recall.
3 Q. So you paid the staff for a
4 holiday event using funds from the Taft
5 Institute grant; is that correct? Yes or
6 no.
7 A. Well, this was a reimbursement
8 for a related event to the Taft Institute.
9 This was one of the programs that we were
10 involved in at that time, as I recall.
11 Q. And you paid yourself as
12 reimbursement for a holiday event in the
13 amount of over \$2,000 in January of 2012,
14 correct?
15 A. That's correct.
16 Q. And you believed that was an
17 appropriate expenditure from the monies
18 provided by the Taft Institute that you
19 were the grant's administrator for? Yes or
20 no.
21 A. I do, but I would need to see
22 supporting documents which you have not
23 provided.
24 Q. Are you familiar with something
25 called the University Committee on

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1 WILSON
2 Research Awards?
3 A. Yes, I am.
4 Q. And that is commonly referred to
5 as UCRA?
6 A. Wait. Wait. Let me amend
7 this. Let me amend this.
8 Q. You want to amend your testimony
9 with regard to Wilson Exhibit 28?
10 A. Yes, I do.
11 Q. Okay. What do you want to say?
12 A. My recollection is that the bulk
13 of these funds went to the building
14 employees as part of their holiday for
15 lack of a better word recognition for
16 building security, maintenance that I
17 provided a check that they then
18 distributed amongst many of their
19 employees, and so this would have been a
20 reimbursement for funds that went to
21 multiple employees. That is my
22 recollection.
23 Q. Are you talking about employees
24 of the building of --
25 MR. MARK KLEIN: Withdrawn.

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1 WILSON
2 Q. Are you referring to employees
3 of 25 Broadway?
4 A. Yes, that's correct.
5 Q. So you're talking about
6 employees of the landlord in which the
7 Graduate Center For Worker Education was
8 located?
9 A. That's correct.
10 Q. And you thought it was an
11 appropriate payment for you to reimburse
12 yourself for monies that you gave to the
13 employees of 25 Broadway from the Taft
14 Institute Grant; is that right? Yes or no.
15 A. I thought -- it is not a yes or
16 no question. They provided services to
17 Taft to the center and specifically to
18 events, and, yes, so I thought it was
19 absolutely fair to reimburse the employees
20 the security guards, the staff, the
21 receptionists, et cetera, a large number,
22 the cleaning personnel, and that is who
23 received the funds, and that was
24 appropriate because they provided services
25 that helped with the functioning of the

<p style="text-align: right;">Page 525</p> <p>1 WILSON</p> <p>2 research and efforts of Taft Institute at</p> <p>3 that time.</p> <p>4 Q. The question is whether you</p> <p>5 thought it was appropriate to provide</p> <p>6 these monies to the employees at 25</p> <p>7 Broadway from the Taft Institute grant?</p> <p>8 Did you think that was appropriate?</p> <p>9 A. Yes, because it helped the Taft</p> <p>10 Institute to function and continue</p> <p>11 research projects and events and so forth.</p> <p>12 Yes, it was absolutely appropriate.</p> <p>13 Q. Okay. Now, let's go back to my</p> <p>14 question about UCRA. That is the</p> <p>15 University Committee on Research Awards,</p> <p>16 correct?</p> <p>17 A. UCRA, Yes. And what document</p> <p>18 are we looking at now?</p> <p>19 Q. I am not. I haven't given you</p> <p>20 one yet.</p> <p>21 Were you a member of the</p> <p>22 University Committee on Research Awards</p> <p>23 between 2005 and 2010?</p> <p>24 A. Yes.</p> <p>25 Q. And what was your role on that</p>	<p style="text-align: right;">Page 527</p> <p>1 WILSON</p> <p>2 Q. And because you were a member of</p> <p>3 the committee that was reviewing grant</p> <p>4 applications, you were not eligible for a</p> <p>5 grant award yourself, right?</p> <p>6 A. That is correct.</p> <p>7 Q. And in that recognition of the</p> <p>8 fact that you could not apply for an award</p> <p>9 of a grant, UCRA members were given a</p> <p>10 certain amount annually as in service</p> <p>11 research allotment, correct? Yes or no.</p> <p>12 A. That is only partially correct.</p> <p>13 Q. In what way is it only partially</p> <p>14 correct?</p> <p>15 A. I served in that role for a</p> <p>16 number of years. They paid a salary for</p> <p>17 my role in research, and then they changed</p> <p>18 the way leadership was to be compensated</p> <p>19 from a regular straight salary with</p> <p>20 pensionable funds and so forth, and then</p> <p>21 they changed it to like an in service</p> <p>22 award but with the same -- at a reduced</p> <p>23 rate, no benefits. So it was a way to</p> <p>24 change the payment that I would receive to</p> <p>25 save money for the foundation.</p>
<p style="text-align: right;">Page 526</p> <p>1 WILSON</p> <p>2 committee?</p> <p>3 A. I played various roles.</p> <p>4 Q. What roles did you play?</p> <p>5 A. Well, first UCRA administered</p> <p>6 research foundation grants over 18</p> <p>7 campuses, and so I was -- one of the roles</p> <p>8 was as the director or co-director of</p> <p>9 unit -- university wide UCRA -- university</p> <p>10 wide research. That was one of the roles</p> <p>11 that I played.</p> <p>12 Q. Did you have any role in</p> <p>13 evaluating grant applications to determine</p> <p>14 who would get grants, research grants from</p> <p>15 the Professional Staff Congress of CUNY?</p> <p>16 A. Yes, I had a role. I had</p> <p>17 multiple roles.</p> <p>18 Q. Well, again I asked you a simple</p> <p>19 question.</p> <p>20 A. Yes.</p> <p>21 Q. Did you have a role reviewing</p> <p>22 grant applications that people submitted</p> <p>23 to obtain grants from CUNY-Professional</p> <p>24 Staff Congress?</p> <p>25 A. Yes, I did.</p>	<p style="text-align: right;">Page 528</p> <p>1 WILSON</p> <p>2 Q. When did UCRA change the manner</p> <p>3 in which they compensated members of the</p> <p>4 committee that reviewed grant</p> <p>5 applications?</p> <p>6 A. Well, I don't remember the</p> <p>7 precise date, but Derek Lee who was --</p> <p>8 Q. You've answered the question.</p> <p>9 You don't remember the date, right?</p> <p>10 A. Right.</p> <p>11 Q. Okay. And at a certain point</p> <p>12 you received --</p> <p>13 MR. MARK KLEIN: Withdrawn.</p> <p>14 Q. The appointment you received to</p> <p>15 review grant applications to be part of</p> <p>16 the process in determining who would get</p> <p>17 grant awards was a three-year appointment,</p> <p>18 correct?</p> <p>19 A. To my recollection.</p> <p>20 Q. And as an in service research</p> <p>21 allotment for your service on that</p> <p>22 committees you received a certain amount</p> <p>23 per year?</p> <p>24 A. That is correct. Well, there</p> <p>25 was -- yes. Right. That is right.</p>

57 (Pages 525 - 528)

<p style="text-align: right;">Page 529</p> <p>1 WILSON</p> <p>2 Q. How much did you receive per</p> <p>3 year?</p> <p>4 A. I'm thinking 2 or \$3,000. I</p> <p>5 don't remember the precise amount.</p> <p>6 Q. And the 2 or \$3,000 that you</p> <p>7 got, were there any restrictions on how</p> <p>8 you could spend that money?</p> <p>9 A. Well, my understanding was that</p> <p>10 any expenditure of money had to be</p> <p>11 submitted, first discussed, submitted and</p> <p>12 advanced reviewed by their various layers</p> <p>13 of review, and then they would either</p> <p>14 approve or reject it based on their</p> <p>15 review. So everything was submitted,</p> <p>16 approved or rejected, and they approved</p> <p>17 some and rejected some.</p> <p>18 Q. So is it your testimony that</p> <p>19 UCRA didn't provide any guidelines for</p> <p>20 disbursement of the amount you received</p> <p>21 annually as your in service research</p> <p>22 allotment?</p> <p>23 A. What I am saying is that the</p> <p>24 CUNY research foundation was in control of</p> <p>25 all of the fiscal matters and reviews and</p>	<p style="text-align: right;">Page 531</p> <p>1 WILSON</p> <p>2 Lee said it is just a technical change.</p> <p>3 You could continue getting reimbursed for</p> <p>4 your travel, for your research, for all of</p> <p>5 your books, and any books that I asked for</p> <p>6 and any requests that I made was</p> <p>7 transparently reviewed, was openly</p> <p>8 discussed, was evaluated, and then they</p> <p>9 decided whether or not to approve it. So</p> <p>10 there was nothing that slipped through the</p> <p>11 cracks. There was an extensive auditing</p> <p>12 system, and on occasion I remember for a</p> <p>13 certain electronic device, which I don't</p> <p>14 recall off the top of my head, they didn't</p> <p>15 approve it. Fine. That is their</p> <p>16 policy, and I abided by their policies.</p> <p>17 Q. I show you what is marked at</p> <p>18 exhibit 29, sir. Please take a moment to</p> <p>19 review it and tell me when you have done</p> <p>20 so.</p> <p>21 (Document handed to witness.)</p> <p>22 A. I don't see a year on this.</p> <p>23 Q. Just tell me when you have</p> <p>24 reviewed it, please.</p> <p>25 A. There is 20 pages here.</p>
<p style="text-align: right;">Page 530</p> <p>1 WILSON</p> <p>2 audits and approvals. They provided it,</p> <p>3 not the committee itself. We didn't have</p> <p>4 oversight over the money. We could</p> <p>5 recommend, but it was up to them to</p> <p>6 approve or reject.</p> <p>7 Q. So is it your testimony, sir,</p> <p>8 that you submitted requests to get</p> <p>9 reimbursed for whatever you could, and</p> <p>10 whatever slipped through the cracks was</p> <p>11 okay with you?</p> <p>12 MR. JAMES KLEIN: I am going to</p> <p>13 object. That is a total</p> <p>14 mischaracterization of his testimony.</p> <p>15 MR. MARK KLEIN: I am going to</p> <p>16 ask the reporter to mark as Wilson Exhibit</p> <p>17 29 a document bearing Bates stamps DEF 226</p> <p>18 to 229.</p> <p>19 (Wilson Exhibit 29 marked for</p> <p>20 identification.)</p> <p>21 A. So if I could respond to that,</p> <p>22 the complete answer is my original form of</p> <p>23 payment was a direct cash payment. They</p> <p>24 instituted a new payment procedure and</p> <p>25 their -- their research foundation, Derek</p>	<p style="text-align: right;">Page 532</p> <p>1 WILSON</p> <p>2 Q. I appreciate if you didn't read</p> <p>3 out loud.</p> <p>4 A. Okay. I reviewed this.</p> <p>5 Q. Okay. Now, Exhibit 29 you have</p> <p>6 seen before, correct?</p> <p>7 A. No, I don't recall seeing this.</p> <p>8 Q. You don't recall that this was</p> <p>9 Exhibit CUNY 111 at the arbitration?</p> <p>10 A. No, at this moment I don't</p> <p>11 recall that.</p> <p>12 Q. Directing your attention to the</p> <p>13 last page of this exhibit, toward the</p> <p>14 bottom of the page under the heading "In</p> <p>15 Service Research Allotment," do you see</p> <p>16 that paragraph that follows?</p> <p>17 A. Yes, I do.</p> <p>18 Q. And it says, "The In Service</p> <p>19 Research Allotments are funds for UCRA</p> <p>20 members to conduct their own research</p> <p>21 while serving on the committee since they</p> <p>22 cannot apply for an award. Beginning in</p> <p>23 2004 UCRA liaisons serving a full</p> <p>24 three-year term receives \$6,2000 annually.</p> <p>25 An individual account is set up each year</p>

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1 WILSON
2 and each account is active for three
3 years. Monies can be used for anything
4 allowable under the current PSC-CUNY
5 research award guidelines except summer
6 salary." Do you see that, sir?
7 A. I see that.
8 Q. So were you aware that in
9 service research allotments were funds for
10 UCRA members like yourself to conduct your
11 own research?
12 A. Well, now that I see the year
13 beginning in 2004, that would have been
14 the year that the policy changed from a
15 straight cash payment to a different type
16 of payment, yes. So I see that, yes.
17 Now I do.
18 Q. And you served on UCRA between
19 2005 and 2010 you testified earlier today?
20 A. Prior to that as well.
21 Q. And you served on UCRA between
22 2005 and 2010, correct?
23 A. That's correct.
24 Q. Okay.
25 A. Under both policies apparently.

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1 WILSON
2 We are not -- actually not just
3 apparently.
4 MR. MARK KLEIN: All right. I
5 ask the court reporter to mark as Wilson
6 Exhibit 30 a document that bears Bates
7 stamps DEF 669 through 676, and
8 unfortunately some of the Bates numbers
9 have been cut off in the copying.
10 MR. JAMES KLEIN: What number
11 is this?
12 MR. MARK KLEIN: This is 30.
13 (Wilson Exhibit 30 marked for
14 identification.)
15 (Document handed to witness.)
16 Q. Dr. Wilson, I show you what has
17 been marked as Wilson Exhibit 30. Please
18 review it and tell me when you have done
19 so.
20 (Pause.)
21 A. Yes.
22 Q. Can you tell me what Exhibit 30
23 is?
24 A. Let me just take a look. Yes.
25 So Exhibit 30 is a series of invoices that

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1 WILSON
2 I submitted that included book purchases,
3 research, research supplies, copy
4 expenses, school supplies from various
5 places and -- and this is also including a
6 fully disclosed list of books that were
7 purchased for Marlboro College that was
8 reviewed, and I spoke to the reviewing
9 officer in advance who approved this,
10 however.
11 Q. I asked what this is, sir?
12 A. That is what it is. It is a
13 detailed and approved payment request that
14 was carefully audited.
15 Q. So this is a payment request
16 that you made for the disbursement of
17 funds from the account that had been set
18 up for you in connection with your service
19 as a reviewer of grant applications in
20 connection with UCRA, correct?
21 A. That's correct.
22 Q. And this included a request for
23 reimbursement of a number of boxes
24 purchased from -- at Marlboro College,
25 correct?

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1 WILSON
2 A. That's correct.
3 Q. And Marlboro College is where
4 your daughter attended school?
5 A. That's correct.
6 Q. And if you look at the third
7 page of this document, which bears the
8 stamp DEF 671. Maybe the Bates stamp
9 doesn't show up. If you just go to the
10 third page.
11 A. One, two, three. Yes.
12 Q. It appears to be a book
13 purchased from Barnes & Nobel Ordeal by
14 Hunger. Is that what that says in the
15 upper right-hand corner for \$16.28. Can
16 you read what that says?
17 MR. JAMES KLEIN: What page are
18 we on?
19 MR. MARK KLEIN: The third
20 page.
21 MR. JAMES KLEIN: You are on
22 the fourth page -- you are on the wrong
23 page.
24 MR. MARK KLEIN: You are
25 talking to your client, Mr. Klein?

<p style="text-align: right;">Page 537</p> <p>1 WILSON</p> <p>2 MR. JAMES KLEIN: Yes. Excuse</p> <p>3 me.</p> <p>4 Q. Okay. Can you read what that</p> <p>5 says, Barnes & Nobel?</p> <p>6 A. It looks like Ordeal by Hunger.</p> <p>7 Q. Is that a book that you had</p> <p>8 purchased personally?</p> <p>9 A. Let's see. If it was at Barnes</p> <p>10 & Nobel, yes, I purchased it personally.</p> <p>11 Q. Okay. If you go to the next</p> <p>12 page, there is a purchase from the Frick</p> <p>13 Collection Museum Shop. Do you see that</p> <p>14 in the upper right-hand corner on that</p> <p>15 page?</p> <p>16 A. Yes.</p> <p>17 Q. And that is a purchase for New</p> <p>18 York 50 Best Places, correct?</p> <p>19 A. I don't know exactly what that</p> <p>20 would refer to.</p> <p>21 Q. Is that something you sought</p> <p>22 reimbursement for?</p> <p>23 A. Yes. I don't know what it was</p> <p>24 for.</p> <p>25 Q. Was that in connection with your</p>	<p style="text-align: right;">Page 539</p> <p>1 WILSON</p> <p>2 let me know when you have done so.</p> <p>3 (Pause.)</p> <p>4 Q. Is there a reason you are making</p> <p>5 notes, Dr. Wilson?</p> <p>6 A. Yes, because I want to remember</p> <p>7 what I am going to tell you in a minute.</p> <p>8 Is that okay?</p> <p>9 Q. Could you look at Exhibit 31 and</p> <p>10 tell me when you have done so?</p> <p>11 A. Uh-huh. Wait a minute. I am</p> <p>12 not done yet. One second.</p> <p>13 (Pause.)</p> <p>14 A. Okay.</p> <p>15 Q. You have reviewed it?</p> <p>16 A. Yes.</p> <p>17 Q. This is another request, payment</p> <p>18 request that you submitted for</p> <p>19 reimbursement in connection with your</p> <p>20 services as a reviewer of grant</p> <p>21 applications for UCRA?</p> <p>22 A. Uh-huh.</p> <p>23 Q. That is a yes?</p> <p>24 A. Yes.</p> <p>25 A. And if you go to page -- the</p>
<p style="text-align: right;">Page 538</p> <p>1 WILSON</p> <p>2 research? Yes or no.</p> <p>3 A. Yes, absolutely.</p> <p>4 Q. And what was your research into</p> <p>5 New York 50 Best Places?</p> <p>6 A. I don't know what the 50 Best</p> <p>7 Places is, but I recall going to the Frick</p> <p>8 Collection with one of the members of the</p> <p>9 Taft Institute, and for whatever reason I</p> <p>10 purchased or we purchased, and I don't</p> <p>11 know what 50 Best Places refers to. It</p> <p>12 was a book or the name of a shop or I</p> <p>13 don't know.</p> <p>14 MR. MARK KLEIN: I ask that the</p> <p>15 reporter mark as Wilson Exhibit 31 a</p> <p>16 document bearing the Bates stamp DEF 677</p> <p>17 through 684, and again some of the Bates</p> <p>18 stamps have been cut off in the copying.</p> <p>19 (Wilson Exhibit 31 marked for</p> <p>20 identification.)</p> <p>21 (Document handed to witness.)</p> <p>22 Q. Dr. Wilson, I show you what has</p> <p>23 been marked as Exhibit 31.</p> <p>24 (Document handed to witness.)</p> <p>25 Q. Please review the document and</p>	<p style="text-align: right;">Page 540</p> <p>1 WILSON</p> <p>2 fourth page of the document, sir.</p> <p>3 A. Let's see what -- what is the</p> <p>4 top of the page?</p> <p>5 Q. Can you just count to four from</p> <p>6 the first page, please?</p> <p>7 A. On number 31?</p> <p>8 Q. Yes, that is where we are.</p> <p>9 A. Okay.</p> <p>10 Q. Okay. On the right-hand side</p> <p>11 of the fourth page, there is a copy of a</p> <p>12 customer receipt from Barnes & Nobel on</p> <p>13 June 5, 2007, correct?</p> <p>14 A. Yes.</p> <p>15 Q. And there is a list of books</p> <p>16 that are -- that were purchased at that</p> <p>17 time, correct?</p> <p>18 A. That's correct.</p> <p>19 Q. And were these books purchased</p> <p>20 by you or your daughter for your</p> <p>21 daughter's schooling? Yes or no.</p> <p>22 A. That is not the -- that is not a</p> <p>23 yes or no. I participated with my</p> <p>24 daughter's schooling and research. I</p> <p>25 worked on her with papers in a direct</p>

60 (Pages 537 - 540)

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1 WILSON

2 research capacity, and, yes, I purchased

3 these books, and, yes, they were used for

4 research. That is the answer.

5 Q. And your daughter's name is

6 Leslie Wilson?

7 A. That's correct.

8 Q. L-E-S-L-I-E; is that right?

9 A. That's correct.

10 Q. In 2007, how old was your

11 daughter?

12 A. I don't know.

13 Q. You don't know how old your

14 daughter was in --

15 A. In 2007. I -- let's see.

16 Q. When was she born?

17 A. Don't ask me hard questions. I

18 think 1990.

19 Q. You are not sure?

20 A. Yes, 1990.

21 Q. How many children do you have,

22 sir?

23 A. Two.

24 Q. Your daughter Leslie?

25 A. Yes.

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1 WILSON

2 Q. And you have a son?

3 A. I do.

4 Q. When was your son born?

5 A. 1994.

6 Q. Okay. So your daughter is now

7 28; is that right?

8 A. That sounds right.

9 Q. And in 2007 she was about 17,

10 right?

11 A. That's right.

12 Q. So listed on the customer

13 receipt from Barnes & Nobel on June 5,

14 2007 is a book called "The Earth, My Butt,

15 and Other Round Things" it appears to be?

16 A. That is what it appears to be.

17 Q. That is one of the books you

18 asked to get reimbursed for, right?

19 A. That's correct.

20 Q. And there is also a book How To

21 Write a Research, and it is not finished,

22 but do you know if that was How to Write a

23 Research Paper?

24 A. I don't recall the complete

25 sentence, but it says How to Write a

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1 WILSON

2 ReSearch.

3 Q. And the last book listed is

4 Garden Style Ideas, correct?

5 A. That's correct.

6 Q. If you go to the third page from

7 the end, the third page from the end is a

8 copy of a Summary of Debit Transactions by

9 the Putney School, correct?

10 A. That's correct.

11 Q. And your daughter attended

12 Putney School in Putney, Vermont?

13 A. That's correct.

14 Q. Did she go there for high

15 school?

16 A. Yes, she did.

17 Q. That was a boarding school?

18 A. That's correct.

19 Q. Did she attend there all four

20 years?

21 A. Yes, she did.

22 Q. Okay. And listed on this

23 Summary of Debit Transactions are a number

24 of books for which you sought to be

25 reimbursed as part of this payment request

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1 WILSON

2 that has been marked as Exhibit 31,

3 correct, sir?

4 A. Correct.

5 Q. And included in those books are

6 a number of Shakespeare books, right?

7 A. That's correct.

8 Q. And a book for Spanish Verb

9 Tenses, correct?

10 A. That's correct.

11 Q. And these are books your

12 daughter used while she was at the Putney

13 School; is that right?

14 A. That's correct.

15 Q. Now, do you recall exchanging an

16 e-mail with your daughter in April of 2009

17 about getting receipts in connection with

18 the books she was purchasing?

19 A. Yes, that is -- I do recall

20 that.

21 MR. MARK KLEIN: I am going to

22 ask the reporter to mark as Wilson Exhibit

23 32 a document bearing Bates stamp DEF

24 000685.

25 (Wilson Exhibit 32 marked for

<p style="text-align: right;">Page 545</p> <p>1 WILSON</p> <p>2 identification.)</p> <p>3 (Document handed to witness.)</p> <p>4 Q. Dr. Wilson, I show you what has</p> <p>5 been marked as Exhibit 32. Please take a</p> <p>6 moment to review it and tell me when you</p> <p>7 have done so.</p> <p>8 (Pause.)</p> <p>9 A. Yes, I see that.</p> <p>10 Q. This is an e-mail exchange</p> <p>11 between you and your daughter sent in</p> <p>12 April of 2009, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And at that point your daughter</p> <p>15 was approximately 20 years old; is that</p> <p>16 right?</p> <p>17 A. I believe so.</p> <p>18 Q. And this consists of an e-mail</p> <p>19 from you to Leslie and one in which she</p> <p>20 responds, correct?</p> <p>21 A. That's correct. And in your</p> <p>22 e-mail to your daughter Leslie, you say</p> <p>23 "You must keep receipts for each book you</p> <p>24 purchase or I will not get reimbursed.</p> <p>25 The statement/printout that you got from</p>	<p style="text-align: right;">Page 547</p> <p>1 WILSON</p> <p>2 was involved in, and I was intimately</p> <p>3 involved with my drawer's research, she</p> <p>4 was always asking me questions about</p> <p>5 research, including Spanish, Shakespeare,</p> <p>6 and African American history if I</p> <p>7 participate in her academic work, and this</p> <p>8 was submitted under an account that I</p> <p>9 received based on my labor that I thought</p> <p>10 it was absolutely appropriate to do that.</p> <p>11 And so yes, the answer is yes, given</p> <p>12 those -- that context.</p> <p>13 MR. MARK KLEIN: I am going to</p> <p>14 ask the reporter to mark as Wilson Exhibit</p> <p>15 33 a document bearing Bates stamps DEF</p> <p>16 000253.</p> <p>17 (Wilson Exhibit 33 marked for</p> <p>18 identification.)</p> <p>19 (Document handed to witness.)</p> <p>20 Q. Dr. Wilson, I show you what has</p> <p>21 been marked as Exhibit 33. Please take a</p> <p>22 moment to review the document and tell me</p> <p>23 when you have done so.</p> <p>24 A. Let's see.</p> <p>25 (Pause.)</p>
<p style="text-align: right;">Page 546</p> <p>1 WILSON</p> <p>2 the book store doesn't work for me. Ask</p> <p>3 the lady at the book store if you can</p> <p>4 return the books, repurchase same book,</p> <p>5 and get a receipt."</p> <p>6 A. Right.</p> <p>7 Q. "This will save me hundreds of</p> <p>8 dollars." Do you see that, sir?</p> <p>9 A. That's correct.</p> <p>10 Q. That is because you wanted to</p> <p>11 submit receipts for books that your</p> <p>12 daughter purchased in connection with her</p> <p>13 schooling for reimbursement under the</p> <p>14 account set up for you for your UCRA</p> <p>15 service?</p> <p>16 MR. JAMES KLEIN: I object.</p> <p>17 Q. You can answer, sir.</p> <p>18 A. Repeat the question.</p> <p>19 MR. MARK KLEIN: Read back the</p> <p>20 question.</p> <p>21 (Record read.)</p> <p>22 A. So --</p> <p>23 Q. Yes or no.</p> <p>24 A. It is not a yes or no. My</p> <p>25 understanding is that any research that I</p>	<p style="text-align: right;">Page 548</p> <p>1 WILSON</p> <p>2 A. Okay.</p> <p>3 Q. Exhibit 33 is an e-mail from</p> <p>4 Noel Anderson to you, correct?</p> <p>5 A. That is correct.</p> <p>6 Q. And it was sent on April 1,</p> <p>7 2011, right?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recall receiving this</p> <p>10 e-mail?</p> <p>11 A. Yes, I do.</p> <p>12 Q. And this --</p> <p>13 A. Well, but who -- I am not sure</p> <p>14 who Glenn Amico is. Actually so -- so I</p> <p>15 don't recall Glenn Amico. I don't know</p> <p>16 who that is.</p> <p>17 Q. Well --</p> <p>18 A. So I don't recall receiving this</p> <p>19 e-mail. So no. There is portions of it</p> <p>20 that I recall but not this e-mail</p> <p>21 specifically.</p> <p>22 Q. You recall everything below</p> <p>23 where it says Glenn Amico, right?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And this was Exhibit 34 H</p>

62 (Pages 545 - 548)

<p style="text-align: right;">Page 549</p> <p>1 WILSON</p> <p>2 at the arbitration, right?</p> <p>3 A. Yes.</p> <p>4 Q. Now, the subject of this is</p> <p>5 titled "time sheets/pay period." Do you</p> <p>6 see that?</p> <p>7 A. Under the topic -- where is</p> <p>8 this?</p> <p>9 Q. Subject.</p> <p>10 A. Subject, yes.</p> <p>11 Q. The first paragraph of the</p> <p>12 e-mail says, "Hey, Joe, here is the pay</p> <p>13 schedule and time sheet for the nontaxing</p> <p>14 levy payments." Let's stop there. What</p> <p>15 are nontaxing levy payments?</p> <p>16 A. These are payments processed and</p> <p>17 approved and reviewed by the college under</p> <p>18 college contract that are not tax levy</p> <p>19 funds. So they are other than tax levy</p> <p>20 funds, and it is usually grants and things</p> <p>21 of that sort.</p> <p>22 Q. What are tax levy funds?</p> <p>23 A. My understanding of tax levy</p> <p>24 funds is funds that are appropriated by</p> <p>25 the City or the State. That is my</p>	<p style="text-align: right;">Page 551</p> <p>1 WILSON</p> <p>2 A. Yes.</p> <p>3 Q. And what was Results Based</p> <p>4 Analysis?</p> <p>5 A. It was a management training</p> <p>6 program. It was a management training</p> <p>7 program that provides expertise to improve</p> <p>8 management and -- and I think also to</p> <p>9 connect with community groups, as I</p> <p>10 recall.</p> <p>11 Q. And what role, if any, did you</p> <p>12 have with RBA? Was it referred to as RBA?</p> <p>13 A. RB -- Results Based Analysis I</p> <p>14 believe if that is your question.</p> <p>15 Q. Well, Mr. Anderson referred to</p> <p>16 it at RBA here, right?</p> <p>17 A. Right.</p> <p>18 Q. And you referred to it as RBA as</p> <p>19 well, right?</p> <p>20 A. I was just giving the full</p> <p>21 title.</p> <p>22 Q. What role, if any, did you have</p> <p>23 in connection with RBA?</p> <p>24 A. So I underwent training. We</p> <p>25 had intensive training sessions, myself</p>
<p style="text-align: right;">Page 550</p> <p>1 WILSON</p> <p>2 understanding or by CUNY directly.</p> <p>3 Q. Do you know what nontaxing levy</p> <p>4 funds are?</p> <p>5 A. Tax levy -- nontaxing levy funds</p> <p>6 would be funds that go to the central</p> <p>7 accounting office at Brooklyn College for</p> <p>8 review and auditing before disbursement</p> <p>9 based on review and contracts according to</p> <p>10 whatever agreement under those -- under</p> <p>11 those funds and so forth. Under -- I</p> <p>12 should say under those grants.</p> <p>13 Q. Okay. The second sentence of</p> <p>14 this e-mail says, "You are budgeted for</p> <p>15 \$4500 from RBA and \$15,000 from Children's</p> <p>16 Services." Do you see that sentence?</p> <p>17 A. I see that.</p> <p>18 Q. What is RBA?</p> <p>19 A. RBA my recollection -- well, I</p> <p>20 don't know what -- I am going to speculate</p> <p>21 on the A, but I know the R was Results</p> <p>22 Based. It could be Results Based</p> <p>23 Analysis.</p> <p>24 Q. Yes, are you familiar with</p> <p>25 something called Results Based Analysis?</p>	<p style="text-align: right;">Page 552</p> <p>1 WILSON</p> <p>2 and my staff, and we had a number of</p> <p>3 meetings with community organizations to,</p> <p>4 you know, develop the RBA methodology.</p> <p>5 Q. Okay. And this says you were</p> <p>6 budgeted for 4500 from RBA, right?</p> <p>7 A. That's correct.</p> <p>8 Q. Did you get payment of \$4500</p> <p>9 from RBA?</p> <p>10 A. I received a contract. I</p> <p>11 received a contract approved by Central</p> <p>12 Budgeting Office and human resources and</p> <p>13 by Michael Hewitt that specifically</p> <p>14 delineated all of the actions that I did</p> <p>15 with RBA in order to be paid for my time</p> <p>16 and efforts on this particular project</p> <p>17 that benefited the college.</p> <p>18 Q. Again, I asked a simple</p> <p>19 question, and I ask for a simple answer.</p> <p>20 Did you get paid \$4500 for RBA?</p> <p>21 A. I believe so, yes.</p> <p>22 Q. And what did you do to justify</p> <p>23 getting paid \$4500 for RBA?</p> <p>24 A. So I underwent intensive</p> <p>25 training where we reviewed the RBA</p>

<p style="text-align: right;">Page 553</p> <p>1 WILSON</p> <p>2 literature, RBA methodology, where we had</p> <p>3 team breakout sessions, and that was a</p> <p>4 period of numerous days, and then we</p> <p>5 attended -- I specifically attended</p> <p>6 meetings of community organizations over a</p> <p>7 hundred organizations on the main campus</p> <p>8 to incorporate the RBA method and to</p> <p>9 spread it through the community groups to</p> <p>10 make them more effective in terms of their</p> <p>11 own management as a way to show the</p> <p>12 university support for community service</p> <p>13 and community efforts, so that was the</p> <p>14 gist of RBA and my role.</p> <p>15 Q. Did you spend a lot of time in</p> <p>16 connection with your role relating to RBA?</p> <p>17 A. What does a lot of time mean?</p> <p>18 Q. How much time did you spend?</p> <p>19 A. Many days.</p> <p>20 Q. How many days?</p> <p>21 A. I don't recall the precise</p> <p>22 number but intensive meetings, training</p> <p>23 sessions, literature to review. As a</p> <p>24 matter of fact, after a series of</p> <p>25 intensive all day sessions at a certain</p>	<p style="text-align: right;">Page 555</p> <p>1 WILSON</p> <p>2 A. My understanding is that as a</p> <p>3 result of the time we spent on RBA as one</p> <p>4 program, and the time I spent on</p> <p>5 Children's Services under another -- under</p> <p>6 a budget approved by the college budget</p> <p>7 office and human resources that we were</p> <p>8 allocated those sums of money. That is</p> <p>9 my understanding.</p> <p>10 Q. Who allocated -- who allocated</p> <p>11 those sums of money to you?</p> <p>12 A. Well, the college drew up</p> <p>13 specific contracts for each one of these</p> <p>14 that would have been the budget -- the</p> <p>15 Office of Business and Fiscal Services</p> <p>16 Alan Gilbert, who was an expert at all of</p> <p>17 the college's rules and regulations, and</p> <p>18 he knows the regulations better than I do.</p> <p>19 So he reviewed them. He approved them,</p> <p>20 and then they would have gone to human</p> <p>21 resources for additional review before any</p> <p>22 funds could be disbursed.</p> <p>23 Q. Now, the reference to children's</p> <p>24 services, is that a reference to the funds</p> <p>25 that were provided by the New York City</p>
<p style="text-align: right;">Page 554</p> <p>1 WILSON</p> <p>2 point after -- after weeks or, you know,</p> <p>3 actually I think this spread over a period</p> <p>4 of months I was actually -- I became a</p> <p>5 certified RBA trainer, so I was -- I</p> <p>6 received a certification as a result of</p> <p>7 this training.</p> <p>8 Q. Isn't it a fact Dr. Wilson that</p> <p>9 you testified at the arbitration that you</p> <p>10 did not spend a lot of time in connection</p> <p>11 with your role relating to RBA?</p> <p>12 A. That is just actually not</p> <p>13 accurate, and I can itemize that time. So</p> <p>14 that was either an error on my part or a</p> <p>15 different understanding, but I actually</p> <p>16 spent a good -- a significant amount of</p> <p>17 time on that, me and my staff.</p> <p>18 Q. Now, what did you understand Mr.</p> <p>19 Wilson to say --</p> <p>20 A. Mr. Wilson.</p> <p>21 Q. I'm sorry. What did you</p> <p>22 understand Mr. Anderson to mean when he</p> <p>23 said that you were "Budgeted for \$4500</p> <p>24 from RBA and \$15,000 from Children's</p> <p>25 Services"?</p>	<p style="text-align: right;">Page 556</p> <p>1 WILSON</p> <p>2 Office of Family and Children's Services?</p> <p>3 A. That is my understanding.</p> <p>4 Correct.</p> <p>5 Q. And those are monies that were</p> <p>6 allocated by the New York City Council; is</p> <p>7 that right?</p> <p>8 A. I don't believe so, no.</p> <p>9 Q. Do you have an understanding of</p> <p>10 the purpose of the funds that came from</p> <p>11 the Office of Family and Children</p> <p>12 Services?</p> <p>13 A. My understanding is that the</p> <p>14 funds and the actual activities went to</p> <p>15 the precise programs and the end users,</p> <p>16 including to cover my administrative time</p> <p>17 for running a program that directly</p> <p>18 benefitted at risk students who did</p> <p>19 receive the benefits and the mentoring and</p> <p>20 counseling and so forth.</p> <p>21 Q. Now, the next sentence of</p> <p>22 Mr. -- by the way, Noel Anderson he was a</p> <p>23 professor of political science at Brooklyn</p> <p>24 College as well, right?</p> <p>25 A. That is correct.</p>

<p style="text-align: right;">Page 557</p> <p>1 WILSON</p> <p>2 Q. And CUNY began an investigation</p> <p>3 into him as well, right?</p> <p>4 A. I don't know.</p> <p>5 Q. You don't know?</p> <p>6 A. No.</p> <p>7 Q. Did Noel Anderson resign from</p> <p>8 his position at --</p> <p>9 MR. JAMES KLEIN: I object.</p> <p>10 MR. MARK KLEIN: You</p> <p>11 interrupted me again.</p> <p>12 Q. Did Noel Anderson resign from</p> <p>13 his position at Brooklyn College?</p> <p>14 A. I am not completely sure of the</p> <p>15 terms of his separation, but I know he IS</p> <p>16 no longer at the college. So I don't know</p> <p>17 what happened to him exactly.</p> <p>18 Q. So you never had any</p> <p>19 conversation with Mr. Anderson regarding</p> <p>20 any investigation that was begun with</p> <p>21 respect to him?</p> <p>22 A. I had -- no. No. About his</p> <p>23 specific investigation, no, i don't know</p> <p>24 whether he was being investigated or not.</p> <p>25 Q. Did you ever have a discussion</p>	<p style="text-align: right;">Page 559</p> <p>1 WILSON</p> <p>2 for should not be time when we were</p> <p>3 actually doing other work and to be very</p> <p>4 careful on our time sheets that we make</p> <p>5 sure that there is no overlap to follow</p> <p>6 the college's procedures. So the work is</p> <p>7 done over many, many hours, and we wanted</p> <p>8 to make sure that our time sheets</p> <p>9 corresponded in a way that didn't conflict</p> <p>10 with the other things just to be</p> <p>11 technically correct. So we were</p> <p>12 following college guidelines.</p> <p>13 Q. Who is Deitre, D-E-I-T-R-E,</p> <p>14 referred to in the next sentence?</p> <p>15 A. I believe she was one of</p> <p>16 the -- one of the graduate students</p> <p>17 involved with the -- with one of the</p> <p>18 programs with the Urban Community of</p> <p>19 Teachers, as I recall.</p> <p>20 Q. Do you know Deitre's last name?</p> <p>21 A. No, I don't.</p> <p>22 Q. Do you have an understanding of</p> <p>23 why Mr. Anderson was telling you that</p> <p>24 Deitre had invoiced for her 5,000 while</p> <p>25 you were gone?</p>
<p style="text-align: right;">Page 558</p> <p>1 WILSON</p> <p>2 with him about CUNY's investigation of</p> <p>3 you?</p> <p>4 A. Yes, I did.</p> <p>5 Q. So you talked to him about your</p> <p>6 investigation -- CUNY's investigation of</p> <p>7 you, but you didn't talk to him about</p> <p>8 CUNY's investigation of him. Is that your</p> <p>9 testimony?</p> <p>10 A. Well, I spoke to him after he</p> <p>11 was no longer at CUNY, and so I had no</p> <p>12 reason to understand CUNY would</p> <p>13 investigate somebody who was no longer at</p> <p>14 CUNY. So --</p> <p>15 Q. Okay. The next sentence of Mr.</p> <p>16 Anderson's e-mail says, "You can draw on</p> <p>17 this money now cuz it is there and have</p> <p>18 Sally sign off. Just make sure they</p> <p>19 don't overlap with your work hours and</p> <p>20 time sheets."</p> <p>21 What did you understand those</p> <p>22 two -- that sentence to mean?</p> <p>23 A. It is very clear and</p> <p>24 transparent. We followed college</p> <p>25 guidelines that the work that we got paid</p>	<p style="text-align: right;">Page 560</p> <p>1 WILSON</p> <p>2 A. Well, because we were directing</p> <p>3 these projects, and he was keeping me</p> <p>4 apprised of one of the employees, and I</p> <p>5 believe -- let's see. Maybe I was out of</p> <p>6 the country at the time, and he wanted to</p> <p>7 let me know that one of the employees was</p> <p>8 getting paid.</p> <p>9 Q. I would like to direct your</p> <p>10 attention to the third paragraph of Mr.</p> <p>11 Anderson's e-mail. It says, "I will tap</p> <p>12 the rest of my RBA money next week (\$2900)</p> <p>13 and just wait until May to tap my 15,000</p> <p>14 from children's services and 10,000 from</p> <p>15 UCT." Do you see that there, sir?</p> <p>16 A. I do.</p> <p>17 Q. And then he says in parentheses,</p> <p>18 "You should wait until summer session one</p> <p>19 also to tap your UCT 10,000 K since salary</p> <p>20 needs to sign off as well."</p> <p>21 A. Yes.</p> <p>22 Q. And why did salary need to sign</p> <p>23 off?</p> <p>24 A. Well, first of all, the work is</p> <p>25 ongoing and continuous, but in order to</p>

<p>Page 561</p> <p>1 WILSON</p> <p>2 follow university guidelines you may do</p> <p>3 the work in one semester, but you have to</p> <p>4 get paid in the following time period, and</p> <p>5 so the budget has to be approved by</p> <p>6 the -- by the department chair as the</p> <p>7 first layer of approval on a multilayer</p> <p>8 approval process, and so the point is the</p> <p>9 work was done, but you have to follow</p> <p>10 guidelines in terms of compensation in</p> <p>11 order to correspond with the multiple</p> <p>12 position form. So we did the work, but</p> <p>13 you can't get paid at that moment that you</p> <p>14 are doing the work. So you get paid the</p> <p>15 following semester as compensation for the</p> <p>16 work previously done. That was --</p> <p>17 Q. Did you have an understanding of</p> <p>18 why Mr. Anderson was telling you "Salary</p> <p>19 needs to sign off as well."?</p> <p>20 A. Yes, because that is the first</p> <p>21 layer of review. It starts in the</p> <p>22 department because what you -- you don't</p> <p>23 understand, and I am just going to have to</p> <p>24 explain it to you.</p> <p>25 Q. Just answer my question. I</p>	<p>Page 563</p> <p>1 WILSON</p> <p>2 service and college service, and every</p> <p>3 meeting that I had with all of my chairs</p> <p>4 with the exception of Paisley I had the</p> <p>5 highest teaching ratings. I did</p> <p>6 the -- the most amount of community</p> <p>7 service. I worked on -- I did</p> <p>8 publication, and I had many, many</p> <p>9 university committees that I served on.</p> <p>10 So I fulfilled all of my requirements, and</p> <p>11 anything related to research since the</p> <p>12 beginning of my employment I was told by</p> <p>13 the department chair this is not about</p> <p>14 research. Do all your research? This is</p> <p>15 to find professors who aren't working at</p> <p>16 CUNY who have businesses on the side.</p> <p>17 So my final thought is it is</p> <p>18 like when you take your driver's test, and</p> <p>19 you get your license, and you read the</p> <p>20 rules of the road. It was read and</p> <p>21 discussed in every year verbally these are</p> <p>22 the rules. What are you doing to comply</p> <p>23 with the rules? So I was always in full</p> <p>24 compliance based on the department chair,</p> <p>25 and then the they only come up at this</p>
<p>Page 562</p> <p>1 WILSON</p> <p>2 don't --</p> <p>3 A. No, you need to hear the answer.</p> <p>4 This goes to the multiple position form,</p> <p>5 and you asked me yesterday you have been</p> <p>6 there for 30 years, and you didn't look at</p> <p>7 this multiple position form. So the point</p> <p>8 is multiple position -- the purpose was</p> <p>9 instituted because faculty members in</p> <p>10 the -- in the finance division in</p> <p>11 accounting had businesses on the side, and</p> <p>12 so the multiple position policy was</p> <p>13 instituted to make sure that faculty did</p> <p>14 their teaching, their research, their</p> <p>15 community service, and their publications,</p> <p>16 and if they didn't do their main research</p> <p>17 this was a way to hold them accountable,</p> <p>18 and it starts with the department chair,</p> <p>19 and the department chair reviews your</p> <p>20 activities, and you have an annual meeting</p> <p>21 with your department chair, and they ask</p> <p>22 you are you doing your research. You</p> <p>23 discuss your research. They review your</p> <p>24 teaching that has to do with your teaching</p> <p>25 appraisals. They ask you about community</p>	<p>Page 564</p> <p>1 WILSON</p> <p>2 point with trying to find some technical</p> <p>3 reason not to -- they never questioned my</p> <p>4 teaching, never questioned my service,</p> <p>5 never questioned -- although they tried to</p> <p>6 attack my research by saying it is</p> <p>7 plagiarized and so forth, but they didn't</p> <p>8 question my publications other than</p> <p>9 subversively. So the context is that this</p> <p>10 was really a witchhunt looking for a</p> <p>11 needle in a haystack. In any event, that</p> <p>12 is the answer to your question.</p> <p>13 Q. Are you familiar with something</p> <p>14 called reassigned time?</p> <p>15 A. Yes, I am.</p> <p>16 Q. What is reassigned time?</p> <p>17 A. Reassigned time is -- is time</p> <p>18 that the college -- let me just clarify.</p> <p>19 So if you are doing administrative work,</p> <p>20 the college will provide reassigned time,</p> <p>21 so that there -- let's say they will give</p> <p>22 you a course off. So you could do</p> <p>23 administrative work, so it is called</p> <p>24 reassigned because you are reassigned to</p> <p>25 do administrative work instead of</p>

66 (Pages 561 - 564)

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1 WILSON
2 teaching.
3 Q. And because you are not doing
4 teaching, the college has to hire an
5 adjunct or another professor to teach the
6 course that you are not teaching because
7 you are being given reassigned time,
8 correct?
9 A. You are still teaching, but they
10 give you one course or two, whatever the
11 number is, to -- to assist you in your
12 administrative responsibilities.
13 MR. MARK KLEIN: I am going to
14 ask the reporter to mark as Wilson Exhibit
15 34 a document bearing Bates stamps DEF 186
16 through 193 although some of the Bates
17 numbers have been cut off in the copying.
18 (Wilson Exhibit 34 marked for
19 identification.)
20 (Document handed to witness.)
21 Q. Dr. Wilson, I show you what has
22 been marked as Wilson Exhibit 34. Please
23 review it and tell me when you have done
24 so.
25 A. Can we take a five-minute break?

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1 WILSON
2 Q. Sure.
3 (Recess taken.)
4 BY MR. MARK KLEIN:
5 Q. Dr. Wilson, I want to ask you
6 another question or two about Exhibit 33
7 that we were talking about before.
8 A. Hold on, please.
9 Q. You have Exhibit 33 in front of
10 you, right?
11 A. Not yet. Okay. 33. It says
12 34. 33, yes.
13 Q. And Wilson Exhibit 33, directing
14 your attention to the paragraph toward the
15 end of Mr. Anderson's e-mail to you where
16 he says, "I am keeping the budgets. So
17 you and I should set up weekly meetings to
18 watch our bottom lines... No more Annie
19 responsible for all our shit. E got to
20 step into this." Do you see that?
21 A. I see that.
22 Q. Why was it necessary for you and
23 Mr. Anderson to set up weekly meetings to
24 watch your bottom lines?
25 A. Well, as grant administrators,

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1 WILSON
2 you have to carefully monitor how the
3 grant is administered, so we had to meet
4 weekly and make sure that the grant
5 that -- that all of the actions and all of
6 the programs and all of the staff were
7 doing everything they were supposed to do,
8 and then that is what we did to watch the
9 bottom line.
10 Q. It wasn't important to have
11 weekly meetings to make sure you and Mr.
12 Anderson coordinated the payments that you
13 received from RBA and Children's Services?
14 A. We didn't need to have weekly
15 meetings to coordinate payments, but we
16 had regular meetings almost daily every
17 other day, and of course budgets would be
18 part of that, but the bulk of our work and
19 what we did and what we discussed was to
20 make sure that all of the services were
21 provided and we were quite successful.
22 We were externally evaluated. Everything
23 was appraised -- and I am not sure what
24 the no more Annie shit -- I sort of
25 recall. I think some of the staff didn't

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1 WILSON
2 receive payments, and I think that might
3 have been some problem about making sure
4 that the people who were working are
5 getting their contractual agreement.
6 Q. All right. Now, let's go back
7 to Exhibit 34. Can you identify Exhibit
8 34, sir?
9 A. This is a workload summary
10 report.
11 Q. And --
12 A. CUNY 1.
13 Q. CUNY 1 refers to Exhibit CUNY 1
14 at the arbitration, right?
15 A. Correct.
16 Q. Do you recall seeing this
17 document at the arbitration?
18 A. I recall seeing the document,
19 not necessarily at the arbitration.
20 Q. What is a workload summary
21 report?
22 A. So I believe this would list the
23 teaching -- yes. So it shows the number
24 of students we had in a particular
25 class --

<p style="text-align: right;">Page 569</p> <p>1 WILSON</p> <p>2 Q. Dr. Wilson, maybe I can help you</p> <p>3 here. I just want to get through this as</p> <p>4 quickly as we can.</p> <p>5 A. Okay.</p> <p>6 Q. Do these summary reports show</p> <p>7 classes that you taught and your</p> <p>8 reassigned time for each semester at</p> <p>9 Brooklyn College?</p> <p>10 A. Yes.</p> <p>11 Q. So the first page of Exhibit 34</p> <p>12 shows that you taught three courses in the</p> <p>13 fall of 2008, and that you received</p> <p>14 reassigned time of three hours for the</p> <p>15 semester for your work as director of</p> <p>16 worker education, correct?</p> <p>17 A. That's correct.</p> <p>18 Q. Now, the three courses, can you</p> <p>19 identify what those courses were?</p> <p>20 A. One was a master seminar.</p> <p>21 Q. Which one was that?</p> <p>22 A. That would be 717, and I am not</p> <p>23 sure what the other two were. The college</p> <p>24 courses for -- they would have been</p> <p>25 probably undergraduate. That is --</p>	<p style="text-align: right;">Page 571</p> <p>1 WILSON</p> <p>2 which one -- what the first one was.</p> <p>3 Q. All right. And for reassigned</p> <p>4 time you received reassigned time at three</p> <p>5 hours, and that means three credit hours,</p> <p>6 in other words, a course, right?</p> <p>7 A. One course.</p> <p>8 Q. One course for your role as</p> <p>9 director of the diversity center, right?</p> <p>10 A. Yes, and not the Center for</p> <p>11 Worker Education, correct. So I received</p> <p>12 no time for worker education.</p> <p>13 Q. Now, your work as director of</p> <p>14 the diversity center related to the Black</p> <p>15 Male Initiative Program; is that right?</p> <p>16 A. No, not precisely. That is not</p> <p>17 right.</p> <p>18 Q. So what did you do as director</p> <p>19 of the diversity center?</p> <p>20 A. At the diversity center, I</p> <p>21 developed and implemented and oversaw</p> <p>22 diversity policies at Brooklyn College.</p> <p>23 I sat on various committees. I created a</p> <p>24 diversity counsel, and I also had</p> <p>25 university-wide responsibilities that grew</p>
<p style="text-align: right;">Page 570</p> <p>1 WILSON</p> <p>2 Q. Do you know what undergraduate</p> <p>3 courses those were?</p> <p>4 A. No.</p> <p>5 Q. All right. If you go to the</p> <p>6 next page. Are you on the second page?</p> <p>7 A. Yes.</p> <p>8 Q. That is your workload summary</p> <p>9 report for the spring of 2009, correct?</p> <p>10 A. Correct.</p> <p>11 Q. That shows your teaching and</p> <p>12 reassigned time for the spring 2009</p> <p>13 semester, right?</p> <p>14 A. Correct.</p> <p>15 Q. And it shows that you had -- you</p> <p>16 taught four courses that semester, right?</p> <p>17 A. Yes.</p> <p>18 Q. And what were those courses?</p> <p>19 A. The master seminar, 717. I</p> <p>20 happened to know that 745 was public</p> <p>21 administration at the graduate level, and</p> <p>22 791 I believe was a policy class, and the</p> <p>23 first -- so those three were graduate, and</p> <p>24 the first one would have been an</p> <p>25 undergraduate class, and I am not sure</p>	<p style="text-align: right;">Page 572</p> <p>1 WILSON</p> <p>2 out of the diversity center to go to all</p> <p>3 of the campuses looking at their</p> <p>4 employment practices in terms of</p> <p>5 affirmative action and diversity,</p> <p>6 evaluating every campus in CUNY.</p> <p>7 Q. All right. Now, if you go to</p> <p>8 the next page of this Exhibit 34, this was</p> <p>9 your workload summary for the fall of</p> <p>10 2009, the next year, correct?</p> <p>11 A. Yes.</p> <p>12 Q. And it shows that you taught one</p> <p>13 course, course 717, right?</p> <p>14 A. Yes. Graduate.</p> <p>15 Q. And that was the master's thesis</p> <p>16 course?</p> <p>17 A. Master's seminar, correct.</p> <p>18 Q. And you got reassigned time of</p> <p>19 three credit hours, a full course for</p> <p>20 being director of worker education and</p> <p>21 three credit hours for being director of</p> <p>22 the the diversity center, correct?</p> <p>23 A. That's correct.</p> <p>24 Q. And if you go to spring 2010,</p> <p>25 that refers -- that is the next page,</p>

<p style="text-align: right;">Page 573</p> <p>1 WILSON</p> <p>2 right?</p> <p>3 A. Yes, spring 2010.</p> <p>4 Q. That reflects that you taught</p> <p>5 four courses; is that right?</p> <p>6 A. That's correct.</p> <p>7 Q. And 717 you identified</p> <p>8 previously as the master seminar, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And course 2.3 was an</p> <p>11 undergraduate course; is that right?</p> <p>12 A. Yes, college undergraduate.</p> <p>13 Q. And do you know what</p> <p>14 undergraduate course that was?</p> <p>15 A. That may have been a core -- a</p> <p>16 core class, college-wide class as opposed</p> <p>17 to political science, yes. It wasn't a</p> <p>18 political science class. It was a</p> <p>19 college-wide class.</p> <p>20 Q. And do you know the name of that</p> <p>21 class?</p> <p>22 A. I believe it was People Power in</p> <p>23 Politics.</p> <p>24 Q. And what were courses 740 and</p> <p>25 745?</p>	<p style="text-align: right;">Page 575</p> <p>1 WILSON</p> <p>2 connection with your role as director of</p> <p>3 the diversity center, right?</p> <p>4 A. That's correct.</p> <p>5 Q. And the next page is spring</p> <p>6 2011, correct?</p> <p>7 A. Correct.</p> <p>8 Q. And you taught four courses that</p> <p>9 semester, right?</p> <p>10 A. That's correct.</p> <p>11 Q. And what were those courses?</p> <p>12 A. I don't recall the specific</p> <p>13 courses.</p> <p>14 Q. Can you identify any of the four</p> <p>15 courses listed there? If you can't, that</p> <p>16 is fine. Just tell me.</p> <p>17 A. Well, I think -- I think they</p> <p>18 changed -- yes, they changed the course</p> <p>19 numbering. So now that I am looking at</p> <p>20 it, I could see a public administration</p> <p>21 class.</p> <p>22 Q. Which one is that?</p> <p>23 A. That would have been 745.</p> <p>24 Q. Okay.</p> <p>25 Q. Can you identify any of the</p>
<p style="text-align: right;">Page 574</p> <p>1 WILSON</p> <p>2 A. 745 would have been public</p> <p>3 administration, and 740 -- I don't</p> <p>4 remember what 740 was.</p> <p>5 Q. All right. And this page also</p> <p>6 reflects that in the spring of 2010 you</p> <p>7 received reassigned time for three credit</p> <p>8 hours with respect to your role as</p> <p>9 director of the diversity center, correct?</p> <p>10 A. That is correct.</p> <p>11 Q. In the fall of 2010, which</p> <p>12 appears on the next page, right?</p> <p>13 A. Fall 2010.</p> <p>14 Q. It shows that you taught one</p> <p>15 class, right??</p> <p>16 A. That's correct.</p> <p>17 Q. And that class was course 7170</p> <p>18 X, right?</p> <p>19 A. That's correct.</p> <p>20 Q. Do you know what course that</p> <p>21 was?</p> <p>22 A. It was a graduate course. I</p> <p>23 don't recall.</p> <p>24 Q. And it shows that you received</p> <p>25 reassigned time of three credit hours in</p>	<p style="text-align: right;">Page 576</p> <p>1 WILSON</p> <p>2 other classes?</p> <p>3 A. The top two were graduate, and</p> <p>4 then I am not sure of the bottom one.</p> <p>5 Q. All right. Besides identifying</p> <p>6 them as graduate, can you identify them in</p> <p>7 any other way?</p> <p>8 A. No.</p> <p>9 Q. And it shows that under</p> <p>10 reassigned time you received three credit</p> <p>11 hours of resigned time in connection with</p> <p>12 your role as director of the diversity</p> <p>13 center and another three hours of</p> <p>14 reassigned time in connection with your</p> <p>15 role as director of worker education,</p> <p>16 correct?</p> <p>17 A. That's correct.</p> <p>18 Q. If you go to the last page.</p> <p>19 A. Yes.</p> <p>20 Q. The last page, sir.</p> <p>21 A. That is your workload summary</p> <p>22 for the fall of 2011, right?</p> <p>23 A. Yes.</p> <p>24 Q. And that shows that you taught</p> <p>25 two courses that semester, right?</p>

<p style="text-align: right;">Page 577</p> <p>1 WILSON</p> <p>2 A. Yes.</p> <p>3 Q. And what were those two courses?</p> <p>4 A. 717 would have been the masters.</p> <p>5 717 would have been the masters seminar,</p> <p>6 and I am not sure what other one was.</p> <p>7 Q. Do you know what the X stands</p> <p>8 for in the course names?</p> <p>9 A. Maybe graduate. I don't know.</p> <p>10 Q. And it shows under reassigned</p> <p>11 time that you received three credit hours</p> <p>12 of reassigned time equivalent to a course</p> <p>13 in connection with your role as director</p> <p>14 of the diversity center, correct?</p> <p>15 A. That's correct.</p> <p>16 Q. Okay. Now, you testified</p> <p>17 previously that you went on various trips</p> <p>18 with students from the Graduate Center For</p> <p>19 Worker Education; is that right?</p> <p>20 A. This was research travel,</p> <p>21 correct, with students. That is right.</p> <p>22 Q. And these were students from the</p> <p>23 graduate Center For Worker Education?</p> <p>24 A. Primarily.</p> <p>25 Q. Not totally?</p>	<p style="text-align: right;">Page 579</p> <p>1 WILSON</p> <p>2 before, sir?</p> <p>3 A. Well, I see my signature on the</p> <p>4 first -- let's see. Is this my signature?</p> <p>5 I am not sure if I have seen this or not.</p> <p>6 Actually this is not my signature.</p> <p>7 Q. It is not your signature?</p> <p>8 A. It is not my signature.</p> <p>9 Q. Did somebody sign your name?</p> <p>10 A. Annie London signed that.</p> <p>11 Q. Now, this was a travel request</p> <p>12 reimbursement form that was submitted on</p> <p>13 your behalf in connection with a trip to</p> <p>14 Egypt and Greece in April of 2010,</p> <p>15 correct?</p> <p>16 A. That says -- it says May.</p> <p>17 January, February, March, April May.</p> <p>18 Q. The dates of the trip were in</p> <p>19 April of 2010, correct?</p> <p>20 A. Yes, April 2010.</p> <p>21 Q. The actual travel request</p> <p>22 reimbursement form is dated May 13, 2010,</p> <p>23 right?</p> <p>24 A. Correct.</p> <p>25 Q. And you were seeking</p>
<p style="text-align: right;">Page 578</p> <p>1 WILSON</p> <p>2 A. There may have been students</p> <p>3 from other programs, but I just don't want</p> <p>4 to be absolute.</p> <p>5 Q. Okay. And you submitted</p> <p>6 applications to get reimbursed for your</p> <p>7 expenses in connection with those trips,</p> <p>8 correct?</p> <p>9 A. That's correct.</p> <p>10 MR. MARK KLEIN: I ask that the</p> <p>11 reporter mark as Wilson Exhibit 35 a</p> <p>12 document bearing the Bates stamp DEF</p> <p>13 000290 through 294.</p> <p>14 (Wilson Exhibit 35 marked for</p> <p>15 identification.)</p> <p>16 (Document handed to witness.)</p> <p>17 Q. Dr. Wilson, I show you what has</p> <p>18 been marked as Wilson Exhibit 35. Please</p> <p>19 review it briefly and tell me when you are</p> <p>20 done so. I will ask you specific</p> <p>21 questions.</p> <p>22 (Document handed to witness.)</p> <p>23 (Pause.)</p> <p>24 A. Okay. I have reviewed it.</p> <p>25 Q. Have you seen this document</p>	<p style="text-align: right;">Page 580</p> <p>1 WILSON</p> <p>2 reimbursement of \$1500 in connection with</p> <p>3 the expenses you incurred in connection</p> <p>4 with that trip, right?</p> <p>5 A. That's correct.</p> <p>6 Q. And on the last page of this</p> <p>7 document there is a box around your name.</p> <p>8 Do you see that, sir?</p> <p>9 A. I do.</p> <p>10 Q. You're identified as a director</p> <p>11 and professor of Brooklyn College, right?</p> <p>12 A. That's correct.</p> <p>13 Q. You weren't a director of</p> <p>14 Brooklyn College, were you?</p> <p>15 A. Absolutely. I was a director</p> <p>16 of the Graduate Center For Worker</p> <p>17 Education, a director of the center for</p> <p>18 diversity, and I directed other programs</p> <p>19 as well, but, yes, he was a director of</p> <p>20 course.</p> <p>21 Q. Now, did you submit another</p> <p>22 application for reimbursement of \$1500 in</p> <p>23 connection with your trip to Egypt and</p> <p>24 Greece in April of 2010?</p> <p>25 A. I believe my assistant submitted</p>

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<p style="text-align: right;">Page 581</p> <p>1 WILSON</p> <p>2 an application. Maybe this one was the</p> <p>3 one that she submitted, and maybe I</p> <p>4 submitted one, so I would have to check</p> <p>5 the details.</p> <p>6 Q. Did you submit an application</p> <p>7 before for reimbursement of \$1500 in</p> <p>8 connection with this trip that was</p> <p>9 rejected?</p> <p>10 A. Not that I recall.</p> <p>11 Q. Do you see in about the middle</p> <p>12 of the first page of this document,</p> <p>13 Exhibit 35 --</p> <p>14 A. Yes.</p> <p>15 Q. -- where it says purpose?</p> <p>16 A. Uh-huh.</p> <p>17 Q. That's a yes?</p> <p>18 A. Yes.</p> <p>19 Q. And you see there is a</p> <p>20 checkmark?</p> <p>21 A. Yes.</p> <p>22 Q. Next to where it says presenting</p> <p>23 paper/poster/lecture?</p> <p>24 A. Right.</p> <p>25 Q. And do you see about three lines</p>	<p style="text-align: right;">Page 583</p> <p>1 WILSON</p> <p>2 take a moment to review it and tell me</p> <p>3 when you have done so.</p> <p>4 (Pause.)</p> <p>5 A. Yes, I see that.</p> <p>6 Q. Now, this is a travel request</p> <p>7 reimbursement form that you did sign,</p> <p>8 correct?</p> <p>9 A. That is correct. That is my</p> <p>10 signature.</p> <p>11 Q. And the travel request</p> <p>12 reimbursement date is April 5, 2010,</p> <p>13 right?</p> <p>14 A. That's correct.</p> <p>15 Q. And this is in connection with a</p> <p>16 trip to Athens, Greece on April 28 to 30th</p> <p>17 2010, right?</p> <p>18 A. That's correct.</p> <p>19 Q. Okay. And you put a checkmark</p> <p>20 in the section of the form where it says</p> <p>21 purpose for attending but not presenting,</p> <p>22 right?</p> <p>23 A. That's correct.</p> <p>24 Q. Did this -- and you were</p> <p>25 requesting reimbursement of \$1500 for</p>
<p style="text-align: right;">Page 582</p> <p>1 WILSON</p> <p>2 down to the right it says "Attending but</p> <p>3 not presenting," and there appears to be a</p> <p>4 checkmark that was crossed out there,</p> <p>5 right?</p> <p>6 A. That's right.</p> <p>7 Q. Did you present a paper or a</p> <p>8 lecture or a poster at a conference during</p> <p>9 your trip to Egypt and Greece in April of</p> <p>10 2010?</p> <p>11 A. Yes, I did. I -- yes, I did.</p> <p>12 Q. You presented a paper?</p> <p>13 A. No, I didn't say I presented a</p> <p>14 paper. I was -- I discussed it on a</p> <p>15 panel at the conference.</p> <p>16 Q. That is why my name is here.</p> <p>17 MR. MARK KLEIN: I am going to</p> <p>18 ask the reporter to mark as Wilson Exhibit</p> <p>19 36 a document bearing Bates stamps DEF</p> <p>20 287.</p> <p>21 (Wilson Exhibit 36 marked for</p> <p>22 identification.)</p> <p>23 (Document handed to witness.)</p> <p>24 Q. Dr. Wilson, I show you what has</p> <p>25 been marked as Wilson Exhibit 36. Please</p>	<p style="text-align: right;">Page 584</p> <p>1 WILSON</p> <p>2 airfare/train transportation, correct?</p> <p>3 A. That's correct.</p> <p>4 Q. Did this application get</p> <p>5 rejected?</p> <p>6 A. Yes, it did get rejected.</p> <p>7 Q. Why did it get rejected?</p> <p>8 A. Because at the time I was</p> <p>9 attending the conference but not</p> <p>10 presenting.</p> <p>11 Q. So you are saying that your</p> <p>12 participation on a panel at which you</p> <p>13 talked constituted presenting. Is that</p> <p>14 what you are saying?</p> <p>15 A. Yes. That was not confirmed at</p> <p>16 that time, so at the time I applied for</p> <p>17 this I would have been attending but not</p> <p>18 presenting. By the time we went I</p> <p>19 actually participated on the panel hence</p> <p>20 the difference because I presented. I</p> <p>21 spoke, so that was -- that was what</p> <p>22 happened.</p> <p>23 Q. And did you get paid \$1500 on</p> <p>24 your second request for reimbursement of</p> <p>25 your airfare and train transportation for</p>

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<p style="text-align: right;">Page 585</p> <p>1 WILSON</p> <p>2 the trip to Greece?</p> <p>3 A. I don't recall.</p> <p>4 MR. MARK KLEIN: I am going to</p> <p>5 ask that the reporter mark as Exhibit 37 a</p> <p>6 document bearing the Bates stamp DEF</p> <p>7 00652.</p> <p>8 (Wilson Exhibit 37 marked for</p> <p>9 identification.)</p> <p>10 (Document handed to witness.)</p> <p>11 A. Just one --</p> <p>12 Q. There is no question pending.</p> <p>13 A. It is not a question, but it is</p> <p>14 what you call it an amendment comment.</p> <p>15 If you look at the exhibit that you just</p> <p>16 gave me on -- let's see. It is page 293.</p> <p>17 This is the conference in the global</p> <p>18 agenda and if you turn -- it says speakers</p> <p>19 biographies and sponsors profiles. If you</p> <p>20 look at the next page, it lists me as a</p> <p>21 speaker.</p> <p>22 Q. At least that is what you</p> <p>23 intended to convey when you submitted the</p> <p>24 last page as part of Exhibit 35; is that</p> <p>25 right?</p>	<p style="text-align: right;">Page 587</p> <p>1 WILSON</p> <p>2 A. That is correct.</p> <p>3 Q. And the subject of the e-mails</p> <p>4 is ERIS, E-R-I-S, slash Bob Scott, right?</p> <p>5 A. That is correct.</p> <p>6 Q. And ERIS is an acronym for the</p> <p>7 Black Male Initiative Program, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Do you recall today what ERIS</p> <p>10 stood for?</p> <p>11 A. I know the first one is empower,</p> <p>12 and I am at a loss for the rest.</p> <p>13 Q. Who is Bob Scott?</p> <p>14 A. Bob Scott was an African</p> <p>15 American employee, a senior employee at</p> <p>16 Brooklyn College, who worked in the dean's</p> <p>17 office and who knew a lot about mentoring,</p> <p>18 and he was very good at giving academic</p> <p>19 support to the cohort of African American</p> <p>20 students essentially black men to ensure</p> <p>21 that they would graduate and succeed. So</p> <p>22 we asked Bob Scott to help us and to play</p> <p>23 a -- an administrative role. So that is</p> <p>24 who Bob Scott was.</p> <p>25 Q. Now, the e-mail from Noel, which</p>
<p style="text-align: right;">Page 586</p> <p>1 WILSON</p> <p>2 A. No, that is false.</p> <p>3 MR. JAMES KLEIN: Objection.</p> <p>4 A. That is totally false.</p> <p>5 MR. JAMES KLEIN: Objection.</p> <p>6 He didn't testify to that.</p> <p>7 Q. That is what I just asked.</p> <p>8 A. That is false. This is what</p> <p>9 actually happened. This is what I</p> <p>10 actually did, and that is why I am</p> <p>11 actually in the brochure published by The</p> <p>12 Economist. This is not my document.</p> <p>13 This is The Economist document.</p> <p>14 Q. Dr. Wilson, I showed you what</p> <p>15 has been marked as Exhibit 37. Please</p> <p>16 take a moment to review this and tell me</p> <p>17 when you have done.</p> <p>18 (Pause.)</p> <p>19 A. Okay. I have reviewed it.</p> <p>20 Q. Exhibit 37 is an exchange of</p> <p>21 e-mails between you and Noel Anderson,</p> <p>22 correct?</p> <p>23 A. That is correct.</p> <p>24 Q. And these e-mails were exchanged</p> <p>25 on July 28, 2011, correct?</p>	<p style="text-align: right;">Page 588</p> <p>1 WILSON</p> <p>2 was sent at 2:15 p.m. starts "Hey, Joe.</p> <p>3 Don't stop. Won't stop even from</p> <p>4 Turkey.... Wanted to put some budgetary</p> <p>5 ideas in your ear." Do you see that?</p> <p>6 A. I see that.</p> <p>7 Q. And so is it your understanding</p> <p>8 that Mr. Anderson was sending you an</p> <p>9 e-mail when he was in Turkey?</p> <p>10 A. That is my understanding.</p> <p>11 Q. Do you know if Mr. Anderson went</p> <p>12 to Turkey using funds from a trip that he</p> <p>13 had purchased to South Africa but then</p> <p>14 didn't go to South Africa and instead used</p> <p>15 the money to go to Turkey?</p> <p>16 A. I have no idea.</p> <p>17 Q. All right. Now, what did you</p> <p>18 understand when he said he wanted to put</p> <p>19 some budgetary idea in your ear?</p> <p>20 A. So let's just see. So the</p> <p>21 first issue was that Bob -- we were</p> <p>22 looking for ways to compensate Bob. He</p> <p>23 was very helpful to the program, so how</p> <p>24 can we make sure that Bob gets</p> <p>25 compensated. He was -- he was not good</p>

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<p style="text-align: right;">Page 589</p> <p>1 WILSON</p> <p>2 at administrative -- you know, dealing</p> <p>3 with budgets because he just didn't know</p> <p>4 how. So -- so we were trying to set up a</p> <p>5 micro budget -- as I recall, for -- for</p> <p>6 every little thing, and there were a</p> <p>7 lot of little things dealing with our</p> <p>8 students. He would come to us, come to</p> <p>9 us, come to us, and it was like listen.</p> <p>10 Let's give Bob a micro budget and let him</p> <p>11 manage that because it is overwhelming.</p> <p>12 You are dealing with hundreds of students</p> <p>13 as we were in multiple programs. So we</p> <p>14 set up -- so Noel's idea was give him a</p> <p>15 micro budget, and then he doesn't have to</p> <p>16 keep coming to us every time he has to buy</p> <p>17 a pencil or -- or purchase a book for the</p> <p>18 students.</p> <p>19 Q. Did you give Bob Scott money in</p> <p>20 the form of a salary for him to use?</p> <p>21 A. Well, I personally never gave</p> <p>22 it. So, no. I never gave Bob Scott</p> <p>23 money.</p> <p>24 Q. Do you know if Bob Scott got a</p> <p>25 salary as suggested by Noel in this</p>	<p style="text-align: right;">Page 591</p> <p>1 WILSON</p> <p>2 of what Noel said when he said to you in</p> <p>3 this e-mail "If we get 100 K from</p> <p>4 Elliott"?</p> <p>5 A. Yes, I have an idea.</p> <p>6 Q. What is your idea?</p> <p>7 A. The idea is we would propose a</p> <p>8 budget to Elliott Dawes, and then Elliott</p> <p>9 Dawes would seek approval from the</p> <p>10 chancery, and then the chancery would seek</p> <p>11 the college's approval, and then if all of</p> <p>12 those approvals were approved then the</p> <p>13 college would receive the budget to be</p> <p>14 overseeing and dispensed by the college in</p> <p>15 ways that would have been approved through</p> <p>16 DMI, through the chancery and through the</p> <p>17 college and then distributed by the</p> <p>18 college, and that is my understanding.</p> <p>19 Q. Who is Jamell, J-A-M-E-L-L?</p> <p>20 A. He was a graduate student at the</p> <p>21 the Center For Worker Education, Master's</p> <p>22 student.</p> <p>23 Q. So Mr. Anderson was asking you</p> <p>24 whether \$25,000 should go to Jamell; is</p> <p>25 that right?</p>
<p style="text-align: right;">Page 590</p> <p>1 WILSON</p> <p>2 e-mail?</p> <p>3 A. I don't know whether he actually</p> <p>4 got a salary. I know we talked about it,</p> <p>5 but I don't know whether he got it.</p> <p>6 Q. Okay. In the second paragraph</p> <p>7 from the bottom of Noel's e-mail, he says</p> <p>8 "If we get 100 K from Elliott, the</p> <p>9 additional 75 K can be devoted to Jamell's</p> <p>10 salary, and he can report to Noel</p> <p>11 administratively while keeping you and me</p> <p>12 aabreast of goings on."</p> <p>13 First of all, who is Elliott?</p> <p>14 A. Elliott would have been Elliott</p> <p>15 Dawes, and at that time he was the CUNY</p> <p>16 wide director of the Black Male</p> <p>17 Initiative.</p> <p>18 Q. So was Mr. Dawes the person who</p> <p>19 allocated money for the Black Male</p> <p>20 Initiative Program?</p> <p>21 A. No.</p> <p>22 Q. What was he?</p> <p>23 A. He was the director of the</p> <p>24 CUNY-wide Black Male Initiative Program.</p> <p>25 Q. So do you have an understanding</p>	<p style="text-align: right;">Page 592</p> <p>1 WILSON</p> <p>2 A. Well, I see two different</p> <p>3 numbers, but yes, 20 -- because I see the</p> <p>4 first one says 75,000, and that was</p> <p>5 a -- you know, then I see a second one</p> <p>6 that says 25,000 for Jamell. I see that.</p> <p>7 Yes.</p> <p>8 Q. And then it says, "I could also</p> <p>9 give him an extra 5 K," and you understand</p> <p>10 that to mean \$5,000, right?</p> <p>11 A. Yes. K is I believe Latin for</p> <p>12 thousand.</p> <p>13 Q. Okay. So he says here, "I</p> <p>14 could also give him an extra \$5,000 from</p> <p>15 Deutsche funds for his work for a total of</p> <p>16 30 K." Do you see that?</p> <p>17 A. I see that.</p> <p>18 Q. And the reference to Deutsche</p> <p>19 funds is monies from the Deutsche Bank</p> <p>20 Foundation Grant; is that correct?</p> <p>21 A. From the Deutsche Fund Brooklyn</p> <p>22 College Foundation, these were not</p> <p>23 directly -- I don't know if I am answering</p> <p>24 your question.</p> <p>25 Q. Was the donor -- is the</p>

<p style="text-align: right;">Page 593</p> <p>1 WILSON</p> <p>2 reference to Deutsche Funds the Deutsche</p> <p>3 Bank Foundation?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And I remind me again,</p> <p>6 sir, if you would what was the purpose of</p> <p>7 the Deutsche Bank Foundation grant?</p> <p>8 A. It was to help graduate students</p> <p>9 get masters degrees, African American,</p> <p>10 especially African American males but not</p> <p>11 exclusively graduate degrees in education,</p> <p>12 and because Jamell was a graduate student</p> <p>13 we thought he could help with the graduate</p> <p>14 program, and the other grant you</p> <p>15 see -- and so it says he will be covering</p> <p>16 all of our shops. So that has to do with</p> <p>17 graduate and undergraduate work. That is</p> <p>18 the reference.</p> <p>19 Q. Okay. So after going through</p> <p>20 how the hundred thousand dollars from Mr.</p> <p>21 Dawes could be given to Bob Scott and to</p> <p>22 Jamell and others it says in the last</p> <p>23 paragraph "That would leave approx 50 K</p> <p>24 for you and I to spread for us and show</p> <p>25 Annie some love, too." Do you see that?</p>	<p style="text-align: right;">Page 595</p> <p>1 WILSON</p> <p>2 Venezuela with students from the Graduate</p> <p>3 Center For Worker Education?</p> <p>4 A. Yes, I did.</p> <p>5 Q. And when did you do that?</p> <p>6 A. I don't recall the date.</p> <p>7 Q. Do you know the year?</p> <p>8 A. Off the top of my head, I don't</p> <p>9 recall the year.</p> <p>10 MR. MARK KLEIN: I am going to</p> <p>11 ask that the reporter mark as Wilson</p> <p>12 Exhibit 38 --</p> <p>13 A. If I may just amend.</p> <p>14 Q. There is no question pending.</p> <p>15 A. No, but I am amending.</p> <p>16 Q. There is no question pending?</p> <p>17 A. You asked me a question on this,</p> <p>18 and I didn't give you a complete answer.</p> <p>19 I just want to amend because you stopped</p> <p>20 at 50 K for the -- for me, Annie, and</p> <p>21 Noel, and this includes Mr. Patterson, who</p> <p>22 is our social worker, and then also to</p> <p>23 hire an administrative assistant to help</p> <p>24 manage complex programs, and then he -- I</p> <p>25 am not sure if this was just asking for my</p>
<p style="text-align: right;">Page 594</p> <p>1 WILSON</p> <p>2 A. I see that.</p> <p>3 Q. So you understood that Noel</p> <p>4 Anderson was suggesting that you and I,</p> <p>5 that being you and him, could share the</p> <p>6 \$50,000 between you and show Annie some</p> <p>7 love meaning give her some money as well;</p> <p>8 is that right?</p> <p>9 A. No, that is not right.</p> <p>10 Q. How do you understand that?</p> <p>11 A. I understand that as we are</p> <p>12 administering programs.</p> <p>13 It -- administrative fees were earmarked</p> <p>14 for the programs written into the grants</p> <p>15 and proposals that the college approved,</p> <p>16 and -- and so Annie was assisting with the</p> <p>17 administration. So we thought that Annie</p> <p>18 should be compensated. So I understand</p> <p>19 your concern about African American</p> <p>20 colloquialism, but showing a little love</p> <p>21 meant to compensate Annie for her work and</p> <p>22 as well as compensating us for our</p> <p>23 administrative time, and then there is</p> <p>24 more information that follows.</p> <p>25 Q. Did you go to -- go on a trip to</p>	<p style="text-align: right;">Page 596</p> <p>1 WILSON</p> <p>2 opinion. This is an opinion. He is</p> <p>3 asking what do I think about this.</p> <p>4 Q. What did you tell him in</p> <p>5 response?</p> <p>6 A. I don't recall what my response</p> <p>7 was.</p> <p>8 Q. Okay.</p> <p>9 MR. MARK KLEIN: I ask that the</p> <p>10 reporter mark as Wilson Exhibit 38 a</p> <p>11 document bearing the Bates stamps DEF</p> <p>12 00348 through 470. Actually that should</p> <p>13 be through 364.</p> <p>14 (Wilson Exhibit 38 marked for</p> <p>15 identification.)</p> <p>16 (Document handed to witness.)</p> <p>17 A. So I just want to amend.</p> <p>18 Q. You want to amend again?</p> <p>19 A. Yes.</p> <p>20 Q. There is no pending question and</p> <p>21 you want TO amend some more. Go ahead.</p> <p>22 A. Because you asked me what was my</p> <p>23 response. And my response was hay Noel</p> <p>24 perfect so I thought it was a good idea.</p> <p>25 Q. Okay. Thank you.</p>

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<p style="text-align: right;">Page 597</p> <p>1 WILSON</p> <p>2 MR. MARK KLEIN: I just want to</p> <p>3 clarify that exhibit 38 includes documents</p> <p>4 that bear the stamp DEF 000348 through</p> <p>5 364.</p> <p>6 (Wilson Exhibit 38 marked for</p> <p>7 identification.)</p> <p>8 (Document handed to witness.)</p> <p>9 Q. Dr. Wilson, I show you what has</p> <p>10 been marked as Exhibit 38. Please review</p> <p>11 it and tell me when you have done so.</p> <p>12 (Pause.)</p> <p>13 Q. Is that your phone, Dr. Wilson?</p> <p>14 Would you mind turning that off, please?</p> <p>15 A. Excuse me for that.</p> <p>16 (Pause.)</p> <p>17 Q. You have reviewed Exhibit 38,</p> <p>18 sir?</p> <p>19 A. Yes. It is CUNY 19, Exhibit</p> <p>20 38. I have reviewed it.</p> <p>21 Q. When you say CUNY 19, this was</p> <p>22 CUNY Exhibit 19 at the arbitration, right?</p> <p>23 A. That's correct.</p> <p>24 Q. And you saw it at the</p> <p>25 arbitration?</p>	<p style="text-align: right;">Page 599</p> <p>1 WILSON</p> <p>2 airfare, or lodging expenses that you</p> <p>3 didn't get reimbursed for?</p> <p>4 A. I had other expenses that I</p> <p>5 didn't get reimbursed for. So for travel</p> <p>6 for all the baggage handling and all the</p> <p>7 trips because there are multiple air</p> <p>8 trips, ground trips, so I was responsible</p> <p>9 for tipping for all of the baggage in and</p> <p>10 out of hotels, which was a significant</p> <p>11 amount of money, and we had local tour</p> <p>12 guides. So I was responsible for tipping</p> <p>13 which was recommended by the travel agency</p> <p>14 to -- as a custom you pay them cash. So</p> <p>15 those would be big categories that I was</p> <p>16 not reimbursed for, cash expenditures.</p> <p>17 Q. Okay. Now what students went on</p> <p>18 this trip?</p> <p>19 A. Can I see a roster here?</p> <p>20 Q. I don't know.</p> <p>21 A. I am asking to take a quick</p> <p>22 look.</p> <p>23 Q. If you go to page 357 at the top</p> <p>24 of the page, it says this was core 745 G</p> <p>25 field work Venezuela Graduate Center For</p>
<p style="text-align: right;">Page 598</p> <p>1 WILSON</p> <p>2 A. Yes, I did.</p> <p>3 Q. Okay. Now, Exhibit 38 is a</p> <p>4 payment request that you submitted or was</p> <p>5 submitted on your behalf in connection</p> <p>6 with your expenses for the class field</p> <p>7 trip to Venezuela in March of 2009,</p> <p>8 correct?</p> <p>9 A. That's correct.</p> <p>10 Q. And Exhibit 38 requests</p> <p>11 reimbursement for meals, airfare, and</p> <p>12 lodging, correct?</p> <p>13 A. That's correct.</p> <p>14 Q. And you received an advance of</p> <p>15 \$3500 for this trip, correct?</p> <p>16 A. That's correct.</p> <p>17 Q. And then you received another</p> <p>18 \$1,578.71 for a total of \$5,078.71,</p> <p>19 correct?</p> <p>20 A. That's correct.</p> <p>21 Q. And was that reimbursement for</p> <p>22 all of your expenses for meals, airfare,</p> <p>23 and lodging in connection with that trip?</p> <p>24 A. No.</p> <p>25 Q. Can you identify any meal,</p>	<p style="text-align: right;">Page 600</p> <p>1 WILSON</p> <p>2 Worker Education, right?</p> <p>3 A. Right. So it would have been</p> <p>4 graduate students taking 745 G field work</p> <p>5 in political science.</p> <p>6 Q. So graduate center worker</p> <p>7 education students, right?</p> <p>8 A. Correct.</p> <p>9 Q. And pages 357 through 360 is</p> <p>10 itinerary for the course starting on March</p> <p>11 7 and ending on March 14, correct?</p> <p>12 A. That is correct.</p> <p>13 Q. Did you receive 5,700 -- I'm</p> <p>14 sorry. \$5,078.71 in response to your</p> <p>15 payment request to the Graduate Center For</p> <p>16 Worker Education account?</p> <p>17 A. Well, as it -- as it says on the</p> <p>18 document, I received \$3,500 in advance,</p> <p>19 and so I gave receipts for that amount,</p> <p>20 and the additional receipts were provided</p> <p>21 for \$15,789.71, so some was paid in</p> <p>22 advance.</p> <p>23 Q. My question is: Did you receive</p> <p>24 a total of \$5,078.71 cents from the</p> <p>25 Graduate Center For Worker Education</p>

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<p style="text-align: right;">Page 601</p> <p>1 WILSON</p> <p>2 account in response to your payment</p> <p>3 request in connection with your trip to</p> <p>4 Venezuela in March of 2009?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Now, did you make</p> <p>7 another request for reimbursement for</p> <p>8 meals and hotel for the same trip? Yes or</p> <p>9 no.</p> <p>10 A. Where do you see that?</p> <p>11 Q. I am asking you. Can you</p> <p>12 answer the question?</p> <p>13 A. Not for the same things, no.</p> <p>14 The answer is no.</p> <p>15 MR. MARK KLEIN: I am going to</p> <p>16 ask the reporter to mark as Exhibit 39,</p> <p>17 Wilson 39 a document bearing the stamps</p> <p>18 DEF 472 through 479.</p> <p>19 (Wilson Exhibit 39 marked for</p> <p>20 identification.)</p> <p>21 (Document handed to witness.)</p> <p>22 Q. Dr. Wilson, I show you what has</p> <p>23 been marked as Wilson Exhibit 39. Please</p> <p>24 review it and tell me when you have done</p> <p>25 so.</p>	<p style="text-align: right;">Page 603</p> <p>1 WILSON</p> <p>2 A. No, we met with university</p> <p>3 officials. We had -- yes -- a number of</p> <p>4 academic meetings with the university</p> <p>5 officials, university leaders. So sure.</p> <p>6 Q. So you characterize your</p> <p>7 meetings with university officials as</p> <p>8 delivering a lecture?</p> <p>9 A. No, as speaking publically with</p> <p>10 students and their officials, and, yes, so</p> <p>11 I spoke publically about educational</p> <p>12 policy, U.S. Venezuelan relations and</p> <p>13 politics. Sure. I spoke on numerous</p> <p>14 occasions publically.</p> <p>15 Q. And you characterize your</p> <p>16 speaking publically at various meetings</p> <p>17 with university officials as "delivering a</p> <p>18 lecture"; is that right?</p> <p>19 A. Yes, sure. Public lectures.</p> <p>20 Q. Okay. Farther down on this</p> <p>21 page, do you see where it says on the same</p> <p>22 page, "The fund is almost never able to</p> <p>23 cover hotel and food costs, but you can</p> <p>24 list them here." Do you see that?</p> <p>25 A. I do.</p>
<p style="text-align: right;">Page 602</p> <p>1 WILSON</p> <p>2 (Pause.)</p> <p>3 A. I see it.</p> <p>4 Q. All right. Wilson Exhibit 39</p> <p>5 is a payment request that you submitted to</p> <p>6 the Brooklyn College travel fund in</p> <p>7 connection with the same trip to Venezuela</p> <p>8 in March of 2009, correct?</p> <p>9 A. That is correct.</p> <p>10 Q. And you sought an additional</p> <p>11 \$500 for reimbursement of expenses in</p> <p>12 connection with that trip, right?</p> <p>13 A. That's correct.</p> <p>14 Q. And in this -- if you go to page</p> <p>15 DEF 0000474.</p> <p>16 A. Yes.</p> <p>17 Q. Are you there?</p> <p>18 A. Yes.</p> <p>19 Q. On that form you checked the box</p> <p>20 that said you were delivering a lecture,</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. Did you deliver a lecture?</p> <p>24 A. Multiple lectures.</p> <p>25 Q. To your students?</p>	<p style="text-align: right;">Page 604</p> <p>1 WILSON</p> <p>2 Q. And you listed "Hotel 2000,</p> <p>3 includes hotel two meals," and what is the</p> <p>4 next word? Something fees, custodial fees?</p> <p>5 Am I reading that right?</p> <p>6 A. I can't quite make it out.</p> <p>7 Q. Is that in your handwriting?</p> <p>8 A. Maybe conference fees.</p> <p>9 Conference fees, yes.</p> <p>10 Q. So you had identified the total</p> <p>11 registration and travel fees as \$3,000,</p> <p>12 right?</p> <p>13 A. That's correct.</p> <p>14 Q. In Wilson Exhibit 38, you sought</p> <p>15 reimbursement and received reimbursement</p> <p>16 for \$5,078.71; is that right?</p> <p>17 A. That's correct.</p> <p>18 Q. Going back to Wilson Exhibit 38,</p> <p>19 pages 357 through 360 sets forth --</p> <p>20 A. Hold on. I am not with you.</p> <p>21 357.</p> <p>22 Q. Through 360. It sets forth the</p> <p>23 itinerary for the trip, right?</p> <p>24 A. Yes.</p> <p>25 Q. Does that identify any instance</p>

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<p style="text-align: right;">Page 605</p> <p>1 WILSON</p> <p>2 in which you were to give a lecture?</p> <p>3 A. I lectured every day.</p> <p>4 Q. Can you answer my question, sir?</p> <p>5 A. Let's just see here. Yes.</p> <p>6 Q. Where?</p> <p>7 A. It says on bullet point 2 "Both</p> <p>8 class pretrip orientation and field</p> <p>9 participation are key elements of this</p> <p>10 course. I was the leader of the class.</p> <p>11 I conducted the pretrip orientation, and I</p> <p>12 conducted and orchestrated the field</p> <p>13 participation, so that is the first</p> <p>14 elements that I see.</p> <p>15 Q. So the pretrip orientation, that</p> <p>16 was before the trip, right?</p> <p>17 A. That's right, as a leader of the</p> <p>18 course.</p> <p>19 Q. Now, you claim in Exhibit 39</p> <p>20 that between March 9 -- on the trip on</p> <p>21 March 9 to March 13 you delivered a</p> <p>22 lecture, right? Yes or no.</p> <p>23 A. Yes.</p> <p>24 Q. Okay. So what happened in the</p> <p>25 pretrip orientation isn't relevant to your</p>	<p style="text-align: right;">Page 607</p> <p>1 WILSON</p> <p>2 Q. The date of the travel request</p> <p>3 form that you filled out is 2/18, February</p> <p>4 18, correct?</p> <p>5 A. Okay. February 18.</p> <p>6 Q. Yes?</p> <p>7 A. Yes.</p> <p>8 Q. And you signed it. That is your</p> <p>9 signature towards the bottom of the page,</p> <p>10 right?</p> <p>11 A. Correct.</p> <p>12 Q. And the date that you put next</p> <p>13 to your signature was 2/18/09, 2009,</p> <p>14 right?</p> <p>15 A. Correct. 2019. Yes, 2018,</p> <p>16 correct.</p> <p>17 Q. And on that form you put an X</p> <p>18 next to the word delivering a lecture,</p> <p>19 right?</p> <p>20 A. Yes.</p> <p>21 Q. And you are telling me that when</p> <p>22 you put that X next to the words</p> <p>23 delivering a lecture you were referring to</p> <p>24 pretrip orientation; is that right, sir?</p> <p>25 MR. JAMES KLEIN: I am</p>
<p style="text-align: right;">Page 606</p> <p>1 WILSON</p> <p>2 application for \$500 set forth in Wilson</p> <p>3 Exhibit 39, right?</p> <p>4 A. No.</p> <p>5 Q. Yes or no?</p> <p>6 A. No, because it is -- the answer</p> <p>7 is no.</p> <p>8 MR. JAMES KLEIN: I object to</p> <p>9 the form of all these questions.</p> <p>10 MR. MARK KLEIN: Okay. Your</p> <p>11 objection is noted, counsel.</p> <p>12 A. The answer is no.</p> <p>13 Q. So you're telling me today that</p> <p>14 when you wrote on Exhibit 39 that you</p> <p>15 delivered a lecture in connection with --</p> <p>16 A. Wait. Show me. I have to</p> <p>17 find the exhibit you are talking about.</p> <p>18 Q. You have it open in your right</p> <p>19 hand, sir.</p> <p>20 A. Okay. What page?</p> <p>21 Q. 374.</p> <p>22 A. Okay.</p> <p>23 Q. That is a travel request for the</p> <p>24 2008-2009 academic year, right?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 608</p> <p>1 WILSON</p> <p>2 objecting to the form of the question.</p> <p>3 Q. Yes or no?</p> <p>4 A. No.</p> <p>5 Q. Okay. Now, again, I ask you on</p> <p>6 pages 357 through 360 is there any</p> <p>7 reference to you delivering a lecture?</p> <p>8 MR. JAMES KLEIN: I am objecting</p> <p>9 to the form of the question.</p> <p>10 MR. MARK KLEIN: Your objection</p> <p>11 is noted, counsel.</p> <p>12 A. Yes.</p> <p>13 Q. Where?</p> <p>14 A. Field PARTICIPATION. I was</p> <p>15 field leader. Field leaders deliver</p> <p>16 lectures. That is what they do.</p> <p>17 Q. All right. Well, I am not</p> <p>18 going to spend a lot more time on this,</p> <p>19 but the bullet point that you are</p> <p>20 referring to says in full on page 357</p> <p>21 "Both class pretrip orientation and field</p> <p>22 participation are a key element of this</p> <p>23 course and will represent 40 percent of</p> <p>24 the final grade." Right? That is what it</p> <p>25 says, right, Dr. Wilson?</p>

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<p style="text-align: right;">Page 609</p> <p>1 WILSON</p> <p>2 A. That is what it says.</p> <p>3 Q. So you were telling your</p> <p>4 students who were going to take this</p> <p>5 course and go on the trip to Venezuela</p> <p>6 that they had to participate in the</p> <p>7 pretrip orientation and field</p> <p>8 participation during the trip because that</p> <p>9 was going to represent 40 percent of their</p> <p>10 grade, right?</p> <p>11 A. Right.</p> <p>12 Q. That didn't have anything to do</p> <p>13 with what you were going to do, right,</p> <p>14 sir?</p> <p>15 MR. JAMES KLEIN: I object to</p> <p>16 form.</p> <p>17 MR. MARK KLEIN: Your objection</p> <p>18 is noted counsel.</p> <p>19 A. False.</p> <p>20 Q. So --</p> <p>21 A. That is not true.</p> <p>22 Q. You think that bullet point</p> <p>23 refers to what you are requesting to do;</p> <p>24 is that right, sir? Is that what you are</p> <p>25 telling me?</p>	<p style="text-align: right;">Page 611</p> <p>1 WILSON</p> <p>2 (Wilson Exhibit 40 marked for</p> <p>3 identification.)</p> <p>4 (Document handed to witness.)</p> <p>5 THE WITNESS: By the way, let's</p> <p>6 keep track of the time.</p> <p>7 Q. We haven't gone 7 hours today,</p> <p>8 and we are going to go 7 hours today.</p> <p>9 A. So what time would that be.</p> <p>10 Q. I don't know.</p> <p>11 A. Let's figure it out. I need to</p> <p>12 know.</p> <p>13 Q. I am almost done, and if you</p> <p>14 cooperate we will be done very soon, but</p> <p>15 if you don't we won't be done soon.</p> <p>16 I show you what has been marked</p> <p>17 as Exhibit 40, Dr. Wilson. Please take a</p> <p>18 moment to review that.</p> <p>19 A. Are you done with these?</p> <p>20 Q. Yes.</p> <p>21 (Pause.)</p> <p>22 A. Okay. Let's see.</p> <p>23 Q. I didn't ask you anything, sir.</p> <p>24 Have you reviewed this document?</p> <p>25 A. Not yet.</p>
<p style="text-align: right;">Page 610</p> <p>1 WILSON</p> <p>2 A. In part, yes. Running the trip</p> <p>3 and speaking, lecturing every day.</p> <p>4 Q. Is there anything else besides</p> <p>5 the bullet point we just talked about on</p> <p>6 pages 356 through 360 that identified your</p> <p>7 delivering a lecture?</p> <p>8 MR. JAMES KLEIN: I object to</p> <p>9 the form of the question.</p> <p>10 MR. MARK KLEIN: Your objection</p> <p>11 is noted.</p> <p>12 A. As the leader of the trip,</p> <p>13 faculty leader who spoke every single day</p> <p>14 at every event and forum, let me see if my</p> <p>15 name is on the syllabus, yes. Here it is</p> <p>16 on the top, Professor Joseph Wilson. That</p> <p>17 means that I was conducting lectures.</p> <p>18 That is what professors do, so that is</p> <p>19 what I did, yes, lectured every day.</p> <p>20 Q. Okay. That is your answer?</p> <p>21 A. That is my answer.</p> <p>22 MR. MARK KLEIN: I am going to</p> <p>23 ask the reporter to mark as Exhibit 40 a</p> <p>24 document bearing Bates stamps DEF 295</p> <p>25 through 297.</p>	<p style="text-align: right;">Page 612</p> <p>1 WILSON</p> <p>2 Q. My question to you is have</p> <p>3 you -- have you seen this before?</p> <p>4 A. I don't recall it at the moment.</p> <p>5 Q. Do you see that it was Exhibit</p> <p>6 13 A at the arbitration?</p> <p>7 A. Yes, I do.</p> <p>8 Q. Do you recall this being an</p> <p>9 exhibit at the arbitration?</p> <p>10 A. I don't, but I see it was.</p> <p>11 So --</p> <p>12 Q. Do you recall that PSC/CUNY</p> <p>13 provided travel fund for partial financial</p> <p>14 reimbursement to members of the bargaining</p> <p>15 unit for attendance at professional</p> <p>16 meetings and conferences related to their</p> <p>17 work at the college? Do you recall that,</p> <p>18 sir?</p> <p>19 A. I recall these were PSC/CUNY</p> <p>20 staff funds, Professional Staff Congress.</p> <p>21 They defended my use of these funds.</p> <p>22 That is what I recall.</p> <p>23 Q. Exhibit 39, sir, were you</p> <p>24 applying for \$500 for PSC/CUNY funds?</p> <p>25 A. Yes.</p>

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<p style="text-align: right;">Page 613</p> <p>1 WILSON</p> <p>2 MR. MARK KLEIN: I am going to</p> <p>3 ask the reporter to mark as Exhibit 41 a</p> <p>4 document bearing the Bates stamp DEF 346</p> <p>5 and 347, and it appears that some of the</p> <p>6 Bates stamp numbers have been cut off in</p> <p>7 the copying.</p> <p>8 (Wilson Exhibit 41 marked for</p> <p>9 identification.)</p> <p>10 (Document handed to witness.)</p> <p>11 Q. Dr. Wilson, I show you what has</p> <p>12 been marked as Exhibit 41, sir. Could</p> <p>13 you look at the document I have handed</p> <p>14 you?</p> <p>15 Q. You are looking at two other</p> <p>16 exhibits, which I am not asking you about.</p> <p>17 A. So 41. I see it. Let me look</p> <p>18 at it. Hold on. This is from Noel</p> <p>19 Anderson.</p> <p>20 Q. These are a series of e-mails</p> <p>21 which you can see.</p> <p>22 A. Yes, I see it.</p> <p>23 Q. All right. Now, do you recall</p> <p>24 seeing this document before today?</p> <p>25 A. No, but I see it was in a -- in</p>	<p style="text-align: right;">Page 615</p> <p>1 WILSON</p> <p>2 A. No.</p> <p>3 Q. Now, do you have an</p> <p>4 understanding of what Mr. Anderson meant</p> <p>5 when he referred to a "travel line within</p> <p>6 the Children's Services account at BCF"?</p> <p>7 A. No.</p> <p>8 Q. BCF refers to Brooklyn College</p> <p>9 Foundation, right?</p> <p>10 A. That is correct.</p> <p>11 Q. And the Children's Services</p> <p>12 account --</p> <p>13 MR. MARK KLEIN: Withdrawn.</p> <p>14 Q. The trips that you went on for</p> <p>15 field work involved graduate center worker</p> <p>16 education students, correct?</p> <p>17 A. That's correct.</p> <p>18 Q. And so those trips were</p> <p>19 unrelated to ERIS programs, correct?</p> <p>20 A. One second. Yes, that's</p> <p>21 correct.</p> <p>22 Q. And the Office of Family and</p> <p>23 Children's Services grant was for ERIS</p> <p>24 programs, right?</p> <p>25 A. That is correct.</p>
<p style="text-align: right;">Page 614</p> <p>1 WILSON</p> <p>2 arbitration.</p> <p>3 Q. It was Exhibit 17 D in the</p> <p>4 arbitration, correct?</p> <p>5 A. Yes.</p> <p>6 Q. Now, the e-mail at the bottom of</p> <p>7 the first page is an e-mail from Noel</p> <p>8 Anderson to Annie London, correct?</p> <p>9 A. Yes.</p> <p>10 Q. And it was sent on Thursday, May</p> <p>11 5, 2011 at 1:27 p.m., correct?</p> <p>12 A. That's correct.</p> <p>13 Q. And Mr. Anderson said to</p> <p>14 Ms. London "Tell Joe to rearrange the</p> <p>15 budget, so that there is a travel 'line'</p> <p>16 within the Children's Services account and</p> <p>17 BFACF. That means he can rework the</p> <p>18 numbers, so he can draw on let's say 2,000</p> <p>19 for 'Field trips/travel' or why not have</p> <p>20 the money transferred to member org, so he</p> <p>21 could draw on it that way through</p> <p>22 reimbursement."</p> <p>23 Do you recall any discussion</p> <p>24 with Ms. London about that subject matter,</p> <p>25 sir?</p>	<p style="text-align: right;">Page 616</p> <p>1 WILSON</p> <p>2 Q. Mr. Anderson was suggesting that</p> <p>3 you put in a travel line within the</p> <p>4 children services account even though the</p> <p>5 children services account related to ERIS</p> <p>6 and not the Graduate Student of Worker</p> <p>7 Education, right?</p> <p>8 A. My understanding from -- from</p> <p>9 this because -- I am not sure what he was</p> <p>10 referring to. Let's see -- I don't see a</p> <p>11 comment from me on this, so I don't know</p> <p>12 what this is. It has to do with me.</p> <p>13 Q. So it is your testimony that you</p> <p>14 never had a discussion with Ms. London</p> <p>15 concerning that subject matter; is that</p> <p>16 right?</p> <p>17 A. I don't recall that.</p> <p>18 Q. Okay.</p> <p>19 MR. MARK KLEIN: I am going to</p> <p>20 ask the reporter to mark as Wilson Exhibit</p> <p>21 42 a document that bears the Bates stamps</p> <p>22 DEF 000242 through -- it looks like it is</p> <p>23 DEF 000240 through 242. It looks like</p> <p>24 the numbers have been cut off in the</p> <p>25 copying.</p>

<p style="text-align: right;">Page 617</p> <p>1 WILSON 2 (Wilson Exhibit 42 marked for 3 identification.) 4 (Document handed to witness.) 5 Q. Dr. Wilson, I show you what has 6 been marked as Wilson Exhibit 42? 7 A. Before we do that, I have an 8 amendment to a previous comment. 9 Q. Yes. 10 A. If you refer to Exhibit No. 39, 11 if you look at the second page, if you 12 read the letter from the executive 13 director of the Venezuelan Information 14 Office addressed to me, Dear Professor 15 Wilson on behalf of the information office 16 it confirms our invitation to participate 17 in conference addressing issues of urban 18 policy north/south perspective. It says 19 the meeting will be held in Caracas. We 20 have discussed conference and exchange 21 will include policy makers, scholars, and 22 professions from a range of fields and 23 disciplines. We look forward to the 24 presentations and perspectives from your 25 delegation of which I was the delegation</p>	<p style="text-align: right;">Page 619</p> <p>1 WILSON 2 9. You see that, don't you, sir? 3 A. Tuesday, March 9. 4 Q. We are talking about March 9? 5 A. I see it. 6 Q. And you pointed out to me that 7 this letter that you submitted in 8 connection with your application for \$500 9 from the Brooklyn College Fund college 10 travel fund referred to a conference and 11 meeting on March 9, 2009, correct? 12 A. That's correct. 13 Q. So the itinerary that you 14 prepared and submitted in connection with 15 your request for payment of \$5,078.71 16 including the advance that you had gotten 17 set forth an itinerary for March 9, right? 18 A. Yes, it did. 19 Q. And does that itinerary include 20 any reference to a conference and meeting 21 at the Bolivian University? Yes or no, 22 sir. 23 A. The following day, absolutely it 24 does. 25 Q. On March 10?</p>
<p style="text-align: right;">Page 618</p> <p>1 WILSON 2 leader. Then they continue that this was 3 a bilateral exchange meaning an academic 4 education exchange. Page 0471. 5 Q. All right. So as long as you 6 brought that up, I am going to show you 7 what was marked as Exhibit 38 that we 8 talked about before. Do you have that in 9 front of you, sir? 10 A. I do. 11 Q. And if you go to page 358. 12 A. 358. 13 Q. That is the itinerary you 14 prepared for this trip for March 9, 2009, 15 correct? 16 A. That is correct. 17 Q. And that reflected that in the 18 morning you were going to have breakfast 19 at the hotel. You were going to visit 20 Fabrizio Ojeda, correct? 21 A. I'm sorry. Which page are you 22 on now, 358? 23 Q. Yes? 24 A. What line? 25 Q. The itinerary for Tuesday, March</p>	<p style="text-align: right;">Page 620</p> <p>1 WILSON 2 A. That's correct. 3 Q. So the letter that you submitted 4 in connection with your request for \$500 5 had the wrong date on it, is that it? 6 A. No. What it says is the letter 7 of February 10 says we will be in touch 8 with the logistical specifics as we firm 9 up the list of Venezuelan participants 10 meaning when you travel things change a 11 little bit, and things changed slightly 12 when we were actually on the ground. So 13 that is what that means. It is a 14 confirmation of what I said originally 15 that, yes, this was an academic event that 16 I presented lectures, and this is 17 confirmation of that in advance in the 18 itinerary. 19 Q. Okay. Well, first of all, the 20 February 10, 2009 letter that appears at 21 DEF 471 that you submitted in connection 22 with your request for \$500 reimbursement 23 from the Brooklyn College travel fund 24 refers to a quote conference and meeting 25 at the Bolivian University the week of</p>

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<p style="text-align: right;">Page 621</p> <p>1 WILSON</p> <p>2 March 9, 2009, correct?</p> <p>3 A. That's correct.</p> <p>4 Q. Now, your itinerary for</p> <p>5 Wednesday, March 10 refers to "Meet with</p> <p>6 representatives from Bolivian University</p> <p>7 to discuss programs for community</p> <p>8 involvement, community health, and</p> <p>9 environmental studies and gain overview of</p> <p>10 the university's mission, discussion with</p> <p>11 director of cooperation, Professor Julio</p> <p>12 Veras to learn about the new community</p> <p>13 development/social work degree program."</p> <p>14 Right?</p> <p>15 A. That's correct.</p> <p>16 Q. Does that refer to your</p> <p>17 delivering a lecture? Yes or no.</p> <p>18 A. In those days of deliberations</p> <p>19 we had public lectures and exchanges,</p> <p>20 absolutely, through and -- and if you look</p> <p>21 through the afternoon. So yes.</p> <p>22 Q. Lunch at the university, meeting</p> <p>23 with representatives of the ministry and</p> <p>24 discuss mission of popular democracy. So</p> <p>25 I spoke publically at every one of these</p>	<p style="text-align: right;">Page 623</p> <p>1 WILSON</p> <p>2 Q. All right. Now, directing your</p> <p>3 attention to Exhibit 42, sir.</p> <p>4 A. I am lost.</p> <p>5 Q. If could you look at Exhibit 42</p> <p>6 and tell me when you are done.</p> <p>7 (Pause.)</p> <p>8 A. Okay. 42, yes.</p> <p>9 Q. Have you seen Exhibit 42 before?</p> <p>10 A. Yes, I see that. Well, I didn't</p> <p>11 read all of it. I just read the first</p> <p>12 page. So give me a minute.</p> <p>13 Q. I am directing your attention to</p> <p>14 the first page of Exhibit 42?</p> <p>15 A. Yes.</p> <p>16 Q. I am frankly not clear whether</p> <p>17 the second and third pages are part of</p> <p>18 this exhibit or not or should be. In</p> <p>19 fact, why don't we just remove the second</p> <p>20 and third pages.</p> <p>21 A. From this evidence or exhibit or</p> <p>22 whatever? You want me to --</p> <p>23 Q. Hold on.</p> <p>24 MR. JAMES KLEIN: You don't do</p> <p>25 anything.</p>
<p style="text-align: right;">Page 622</p> <p>1 WILSON</p> <p>2 events.</p> <p>3 Q. And you consider that delivering</p> <p>4 a will speech justifying your request for</p> <p>5 \$500 for travel funds from the Brooklyn</p> <p>6 College travel fund organization; is that</p> <p>7 correct?</p> <p>8 A. These --</p> <p>9 Q. Yes or no.</p> <p>10 A. It is not a yes or no. These</p> <p>11 are scholarly lectures. They require</p> <p>12 research, preparation, understanding of</p> <p>13 policy, collaborating with other scholars.</p> <p>14 So the answer is absolutely yes. This is</p> <p>15 scholarly and academic.</p> <p>16 Q. Was this something you attorney</p> <p>17 pointed out to you, the page from Exhibit</p> <p>18 39 that you wanted to bring to my</p> <p>19 attention? Is that something that Mr.</p> <p>20 Klein pointed out to you a moment ago?</p> <p>21 A. I didn't hear him say anything,</p> <p>22 if that is your question, but I am glad I</p> <p>23 noticed it.</p> <p>24 MR. JAMES KLEIN: Just for the</p> <p>25 record, he pointed it out to me.</p>	<p style="text-align: right;">Page 624</p> <p>1 WILSON</p> <p>2 THE WITNESS: He said --</p> <p>3 MR. JAMES KLEIN: It is his</p> <p>4 exhibit. He will do what he thinks is</p> <p>5 right.</p> <p>6 A. I thought he asked me.</p> <p>7 Q. Let's keep it all part of one</p> <p>8 exhibit.</p> <p>9 Q. The first page of Exhibit 42</p> <p>10 below Rachel Nash's name appears.</p> <p>11 A. Yes.</p> <p>12 Q. There is an e-mail from Paisley</p> <p>13 Currah to you dated September 27, 2011.</p> <p>14 A. Yes.</p> <p>15 Q. Do you recall -- and the subject</p> <p>16 of the e-mail is multiple position form,</p> <p>17 right?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recall getting that</p> <p>20 e-mail?</p> <p>21 A. I do.</p> <p>22 Q. And did you respond to it?</p> <p>23 A. Yes, I did.</p> <p>24 Q. How did you respond?</p> <p>25 A. I had a meeting with Paisley.</p>

81 (Pages 621 - 624)

<p style="text-align: right;">Page 625</p> <p>1 WILSON</p> <p>2 Q. And what did you say at the</p> <p>3 meeting?</p> <p>4 A. I said why are you attacking my</p> <p>5 ability to manage and administer this</p> <p>6 program, and, you know, there had never</p> <p>7 been any issues about my program</p> <p>8 administration, the grants. The</p> <p>9 university approved it, the faculty,</p> <p>10 provost, et cetera, et cetera, and</p> <p>11 suddenly Paisley was elected. So I viewed</p> <p>12 this as a form of harassment to attack the</p> <p>13 Black Male Initiative Project and me</p> <p>14 personally to undermine it and sabotage</p> <p>15 it.</p> <p>16 Q. When was this meeting with</p> <p>17 Professor Currah?</p> <p>18 A. It would have been shortly after</p> <p>19 I got the e-mail, maybe the following week</p> <p>20 or that week.</p> <p>21 Q. Do you have any notes of that</p> <p>22 meeting?</p> <p>23 A. No.</p> <p>24 Q. That is a no?</p> <p>25 A. That is a no.</p>	<p style="text-align: right;">Page 627</p> <p>1 WILSON</p> <p>2 A. We were looking to bring in</p> <p>3 additional help, additional staffing</p> <p>4 because we had a very active program that</p> <p>5 we were successfully administering and</p> <p>6 then suddenly short term Paisley Currah</p> <p>7 decided to essentially attack me and stop</p> <p>8 my ability to receive compensation for</p> <p>9 work that I was doing, and if you look at</p> <p>10 the -- it says urgently needed, yes. My</p> <p>11 work was urgently needed because without</p> <p>12 my work the program would have collapsed.</p> <p>13 So it was urgent, but Paisley didn't care</p> <p>14 about the urgency or who I was helping or</p> <p>15 what I was doing. It was about, you</p> <p>16 know, retaliation. Paisley was chair,</p> <p>17 newly elected chair I might add. No.</p> <p>18 No strike that.</p> <p>19 Q. When was Paisley Currah elected</p> <p>20 chairman of the political science</p> <p>21 department?</p> <p>22 A. I am not sure of the data on</p> <p>23 that, but it would have been that time</p> <p>24 frame.</p> <p>25 Q. You and he ran against each</p>
<p style="text-align: right;">Page 626</p> <p>1 WILSON</p> <p>2 Q. Did you respond to Professor</p> <p>3 Currah's e-mail in writing?</p> <p>4 A. I don't recall. I may have.</p> <p>5 Q. Now, the last two sentences of</p> <p>6 the first paragraph of Professor Currah's</p> <p>7 e-mail says, "You have been getting</p> <p>8 compensated for work for ERIS for quite</p> <p>9 some time, and the situation is no longer</p> <p>10 'Short term'. We wanted to give you</p> <p>11 plenty of advance notice, so that you will</p> <p>12 have time to make other arrangements for</p> <p>13 next semester either using the grant money</p> <p>14 to buy yourself out of teaching or hiring</p> <p>15 individuals to do the work." Do you see</p> <p>16 that?</p> <p>17 A. I am just asking if you see</p> <p>18 that?</p> <p>19 A. Yes, I see that.</p> <p>20 Q. And did you make any other</p> <p>21 arrangements as Professor Currah</p> <p>22 suggested? Yes or no.</p> <p>23 A. Yes.</p> <p>24 Q. What other arrangements did you</p> <p>25 make?</p>	<p style="text-align: right;">Page 628</p> <p>1 WILSON</p> <p>2 other, right?</p> <p>3 A. That is correct.</p> <p>4 Q. And he won; is that right?</p> <p>5 A. Yes, he won.</p> <p>6 Q. Do you know what the vote was?</p> <p>7 A. It was close. I don't remember</p> <p>8 what the exact vote was.</p> <p>9 Q. On a different subject, did</p> <p>10 Professor Day send you a thank you note</p> <p>11 for donating your hundreds of books which</p> <p>12 you could potentially use for tax</p> <p>13 purposes?</p> <p>14 A. May I see what you are referring</p> <p>15 to?</p> <p>16 Q. Can you answer my question?</p> <p>17 A. May I see what you are referring</p> <p>18 to?</p> <p>19 Q. Answer my question.</p> <p>20 A. Show me the document, and I will</p> <p>21 answer your question.</p> <p>22 Q. Did professor -- yes or no.</p> <p>23 Did Professor Day send you a thank you</p> <p>24 note for donating your hundreds of books?</p> <p>25 A. That is my recollection.</p>

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1 WILSON
2 Q. Have you produced the thank you
3 note that Professor Day sent you?
4 A. Well, I can tell you that the
5 thank you note is not one of the 50 pages
6 of documents that we looked at earlier
7 today.
8 A. Okay.
9 Q. Right?
10 A. Apparently.
11 MR. MARK KLEIN: I ask that you
12 produce that thank you note.
13 MR. MARK KLEIN: All right. I
14 have no further questions of Dr. Wilson at
15 this time. I reserve the right to ask
16 further questions of him when I receive
17 production of the various categories of
18 documents I have asked for during the
19 course of this deposition and that were
20 asked for in our document request in this
21 case. So thank you Dr. Wilson.
22 A. May see that?
23 Q. I am not marking it as an
24 exhibit. It is a document we produced.
25 A. Okay.

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1 WILSON
2 MR. JAMES KLEIN: Can I get a
3 reference from the reporter --
4 MR. MARK KLEIN: On or off the
5 record.
6 MR. JAMES KLEIN: There is a
7 question I have. I made an objection at
8 some point with regard to Exhibit 25 when
9 he asked for the reference from one
10 document to -- one document he wanted to
11 know whether there was anything related to
12 Exhibit 25 and I didn't write down what
13 that other document was that he was asking
14 the reference about.
15 MR. MARK KLEIN: I don't know
16 why this should be on the record. I
17 don't want to pay for you to ask a
18 question of the court reporter. I have
19 no objection to the court reporter giving
20 you the information if she can find it,
21 but I don't want this on the record.
22 A. I just wanted to amend one point
23 that --
24 Q. I have no further questions at
25 this time. So there is nothing to amend,

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1 WILSON
2 Dr. Wilson.
3 A. I don't have the right to amend?
4 Q. Not at the moment. There are
5 no pending questions. If your counsel
6 wants to ask you questions, he has that
7 right.
8 EXAMINATION BY MR. JAMES KLEIN:
9 Q. Would you like to amend your
10 answer with regard to Kevin Guscott?
11 A. I would like to amend my answer
12 with regard to Kevin Guscott.
13 Q. Please do.
14 A. Are you typing?
15 So I recall that in response to
16 a question that -- about contact with
17 Kevin Guscott and within the last few
18 weeks -- I can't tell you the precise date
19 -- but it was in January, which was what I
20 originally said I spoke to Mr. Guscott.
21 Mr. Guscott contacted me and said that Mr.
22 Klein had contacted him, and -- and
23 about -- I don't know all of the details;
24 however, I do remember that Mr. Guscott
25 called and asked me if the CUNY attorney,

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1 WILSON
2 you know, is supposed to be reaching out
3 to him or why is he getting calls from the
4 CUNY attorney. What does this have to do
5 with, and so I said to my understanding
6 Mr. Klein is not CUNY's attorney, and he
7 said well, you know, do I have to speak to
8 this guy, and I said that is your choice,
9 but I don't think you have to speak to
10 him, and I didn't understand -- I said
11 that it is not my understanding that he is
12 CUNY's attorney. So my understanding was
13 that that was a misrepresentation that he
14 was representing -- that he is
15 representing CUNY. I don't think CUNY is
16 a party but anyhow. That is all I wanted
17 to add.
18 MR. JAMES KLEIN: Okay.
19 EXAMINATION BY MR. MARK KLEIN:
20 Q. So you recommended to Mr.
21 Guscott that he not talk with me; is that
22 it?
23 THE WITNESS: I said it is up to
24 him, no, but he doesn't have to speak with
25 you.

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1 WILSON

2 Q. So you told him that he didn't

3 have to speak with me; is that right? Yes

4 or no, sir.

5 A. Yes. I said that he didn't have

6 to speak with you. That's correct.

7 MR. MARK KLEIN: All right.

8 Thank you. I am glad that you provided

9 that modification of your testimony.

10 All right. Thank you. We are

11 done for the day subject to my reservation

12 of rights to depose you when I get the

13 documents that you haven't fully produced.

14 (Time noted: 5:40 p.m.)

15

16

17

18

19

20 JOSEPH WILSON, PhD

21

22 Subscribed and sworn to before me

23 this day of , 2019

24

25

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1 WILSON

2 CERTIFICATION

3

4

5

6 I, DEBBIE ZAROMATIDIS, a Shorthand

7 Reporter and a Notary Public, do hereby

8 certify that the foregoing witness, JOSEPH

9 WILSON, PhD, was duly sworn on the date

10 indicated, and that the foregoing is a

11 true and accurate transcription of my

12 stenographic notes.

13 I further certify that I am not

14 employed by nor related to any party to

15 this action.


16

17

18

19

20

21 

22 DEBBIE ZAROMATIDIS

23

24

25

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1 WILSON

2 E X H I B I T S

3

4 WILSON

5 EXHIBIT	DESCRIPTION	PAGE
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1 WILSON

2 E X H I B I T S

3

4 WILSON

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6	WITNESSES' NAME: JOSEPH WILSON, PhD		
7	PAGE LINE CHANGE	REASON	
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19			
20	JOSEPH WILSON, PhD		
21	SUBSCRIBED AND SWORN TO BEFORE ME		
22	THIS ____ DAY OF _____, 20__.		
23			
24	(NOTARY PUBLIC)		
25	MY COMMISSION EXPIRES:		

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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